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MEDIÆVAL POPES,

EMPERORS, KINGS AND CRUSADERS.

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MEDIÆVAL

POPES, EMPERORS, KINGS,

AND

CRUSADERS;

OR,

GERMANY, ITALY, AND PALESTINE,

FROM A.D. 1125 TO A.D. 1268.

BY MRS. WILLIAM BUSK,

AUTHOR OF

"MANNERS AND CUSTOMS OF THE JAPANESE," ETC.

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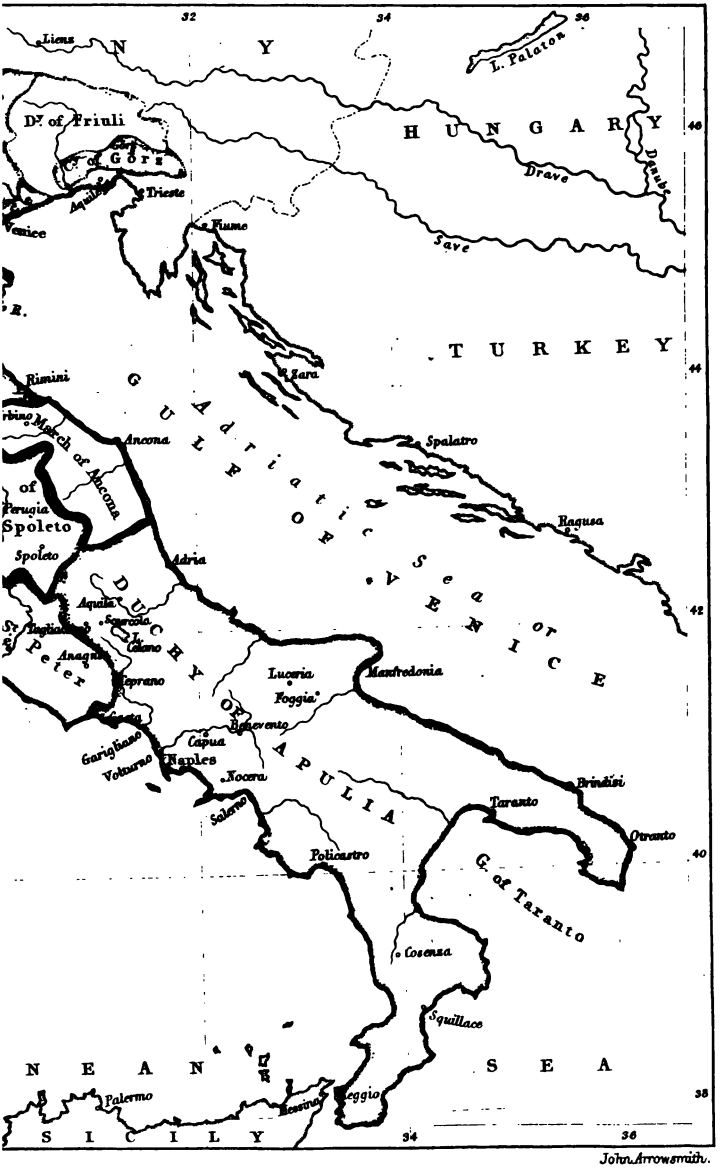

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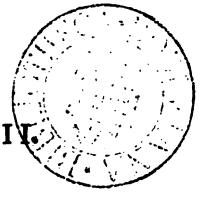

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THE uninterrupted continuity of German narrative, consequent upon the uninterrupted continuity of the contest between Philip and Otho for the Empire, has necessarily suffered the condition of the non-German world to fall into arrear. Even the history of the Sicilian kingdom, under the rightful heir of the Norman and the Swabian dynasties, blended in Frederic Roger, has perforce been thus neglected: and still, ere this important part of the subject of these volumes can be brought down to the epoch of Philip's assassination, other transactions claim attention. During these ten years a Crusade, in result the most memorable of any, except the first, had not only been organized, but run its course. And, considering how large a portion of the pontificate of Innocent III is comprised in these years, his proceedings in regard both to

sovereigns he would spiritually rule(1) and to heresy, should, chronologically and psychologically, naturally precede the gradual change of his views relative to his royal ward and his Welf protegé. The Crusade, as completed, coming first, must be introduced by a survey of its theatre, as well the real as the intended.

At Constantinople, Alexius III thought himself secure upon his stolen throne. The brother whom he had despoiled of empire and of eyesight, and that brother's son, called Alexius the Younger to distinguish him from his usurping uncle, were his prisoners; and, now that death had relieved him from all fear of Henry VI, he, in his turn, tyrannized, or rather revelled undisturbed. But Alexius the Younger, a boy of thirteen, managed to escape in disguise, and stealing on board a Pisan ship, was by it carried to Italy. Once there, he flew to Rome, and solicited of the Pope such assistance as would replace his blind father on the throne, in whose name, he promised to repay the kindness, by bringing the Eastern Empire back to the pale of the Roman Catholic Church. To no pontiff, could the separation of the Greek from the Latin Church be a source of deeper grief or of bitterer mortification than to Innocent III, with his exalted ideal of the Papal office and dignity; to none, the reunion of the dissident an object of more intense desire. That reunion he had endeavoured to accomplish by argument, through the agency of a Greek convert, one Nicolo di Otranto;(2) he had hoped it from the promises by which Alexius III had courted his favour and countenance; and doubly had he been disappointed. But, for the moment, he did not hold himself at liberty to renew the attempt by arms. The recovery of Jerusalem was the one triumph, by which he hoped to glorify his pontificate: as the first step towards the attainment of that splendid as hallowed triumph, he was labouring to pacify Europe, at least sufficiently to render a Crusade feasible; and from this object he would not be diverted by any other, how momentous soever—even if practicable; and he might well distrust the juvenile diplomatist's power to fulfil his engagements. He received the royal fugitive kindly, but professed himself unable, under existing circumstances, to

afford him assistance. Alexius then sought the German Court of his sister Irene, where he was certain of finding at least cordial sympathy with his views, and every inclination to promote his wishes. Philip endeavoured to support and give weight to his brother-in-law's abortive attempts at negotiation with the Pope, by offering his own guarantee for the reunion of the Greek Church by Alexius, whenever he should succeed to the Eastern empire, and solemnly pledging himself to effect it, should the crown, by the untimely death of the young prince, devolve upon Irene. But the intervention of Philip at that time was not beneficial to his father-in-law; Innocent persisted in his refusal, Philip struggling for his own crown, could no otherwise assist;(3) and at his court, Alexius awaited a more favourable opportunity. For this he looked to Philip's final victory over Otho, and undisputed possession of the Holy Roman Empire: but it loomed in another quarter.

Innocent's persuasion of the instant need of a new Crusade, if the very name of a Christian kingdom of Jerusalem were to be preserved, if any of the Syro-Frank states were to survive, was fully borne out by the changes, then daily taking place, amongst their Moslem neighbours. The Moslem power, so formidable when wielded by Saladin, so insignificant when dispersed amongst many, was again gradually converging into one hand. In the year 1196, Malek-el-Adel, his power augmented by the follies and the vices of his younger kinsmen, judged himself equal to a bold act of usurpation. He formed a close alliance with his nephew Aziz, Sultan of Egypt; and conjointly attacking Saladin's eldest son, Afdal, they expelled him from Damascus, which Malek-el-Adel occupied as his own capital. Two years later, Aziz died, leaving an infant heir; when many of the Emirs and Mameluke chiefs, invited the dethroned and despoiled Afdal to Cairo, there to assume the regency during his nephew's minority. But Malek-el-Adel was similarly invited by another party of Egyptian Emirs and Mamelukes; and in the contest for this temporary sovereignty, the able uncle again vanquished the very inferior nephew. Malek-el-Adel was thus in possession of power only less formidable than

Saladin's, and perhaps Noureddin's; superior to that of any of their recent predecessors.

Of the previous weakness of the Mohammedans, when Saladin's empire was broken up, Henry King of Jerusalem, feeling himself at once bound and protected by his lion-hearted uncle's truce, had not attempted to take advantage. The inferior Syro-Frank states, whose rulers might have been less scrupulous, were embroiled with each other, and with Lesser Armenia in Asia Minor, respecting the right of succession to Antioch. An intimate, and generally amicable intercourse, had arisen betwixt the Armenian princes and their Syro-Frank neighbours, as far back as the reign of Amalric, when a brother of Toros, Prince of Armenia, became a Templar. And, although upon the early death of Toros, the Templar had renounced his vows, to usurp his infant nephew's heritage, the act almost appeared to have strengthened the connexion, it might have been expected to break. Both Orders had interested themselves in his success or failure; and they continued to interest themselves in all Armenian feuds and other affairs. During the recent usurpations and palace revolutions at Constantinople, the Armenian princes had thrown off all subjection, or vassalage to the Eastern Empire; Leo, the reigning prince, who, with the consent of Henry of Jerusalem and Champagne, had assumed the title of king, sought the confirmation of his royalty from the Pope and the Emperor (Celestin III and Henry VI); trusting thus to secure European support. In compliance with his petition, the Archbishop of Mainz, when, A.D. 1197, he led the Crusaders sent by Henry VI to Palestine, appears to have been commissioned to confer the desired title upon Leo; in the character of Arch-Chancellor and the Emperor's representative, receive the homage of the new King, as a vassal of the Holy Roman Empire; and in that of Papal Legate, admit him, with his people, into the pale of the Roman Catholic Church—the Armenians being schismatics of neither the Greek nor the Latin Church.

Leo's niece, Alice, eldest daughter of his deceased brother Rupin, to whom he had succeeded, was married to the eldest son of Bohemund III of Antioch, that Raymond, who had so strangely succeeded,

as a collateral heir, to Raymond Earl of Tripoli, because their two utterly unconnected grandfathers, the reigning Princes of Antioch and Tripoli, had married two sisters, daughters of Baldwin II of Jerusalem. This Raymond, Earl of Tripoli, and heir of Antioch, died young, leaving an infant son, named Rupin, after his maternal grandfather; and his dying request to his father, was that he would immediately proclaim this, his infant grandson, his heir; whilst he endeavoured to secure the acquiescence of his younger brother, another Bohemund, in the arrangement, by bequeathing him Tripoli. The right of an elder son's son in preference to a younger son, was not yet fully established, though in Germany, a judicial combat had decided in favour of right by representation, against right by nearness of relationship.(4) Bohemund III, according to his promise, proclaimed Rupin his heir; but his second son, Bohemund, advanced his claim to be his father's heir, using the principality bequeathed him, to defeat the bequeather's wishes. A civil war ensued, in which Leo naturally championed the right of his brother's grandchild; and the military Orders took part, the Templars in favour of the younger Bohemund, Earl of Tripoli, the Hospitalers and Marians of the elder Bohemund, Prince of Antioch, and his grandson Rupin. The Earl of Tripoli then invited the Sultan of Iconium to invade Armenia, hoping thus to compel the recall of Leo's forces from Antioch. But the success of his nefarious scheme was short-lived; the Hospitalers and the Marians flying to Leo's aid, after a sharp struggle, expelled the Turks, and were rewarded by Leo with estates in his dominions.

In such a posture of affairs, the Crusaders despatched by the Emperor expected to be received with rapturous gratitude. But since the loss of nine tenths of the kingdom, the views of the Syro-Franks were changed. They no longer looked upon war with the Mohammedans and conquest, or at least booty, as identical. They knew that these champions of the Cross, after breaking the truce, which secured present tranquillity to the kingdom, and making, if successful, some small conquests from the Saracens, would hold their crusading vow fulfilled, their utmost duty towards the Holy Land discharged; and

return home, leaving the inhabitants involved in war, for the sake of some trifling acquisition, that they were too weak to preserve. They desired no crusading expedition, short of such a Crusade as could recover the kingdom, won by the first.

In addition to these general feelings with respect to crusaders, distrust of Henry VI—the jailer of the Lion-heart—had been awakened in the minds of the King, his Barons, and the Grand Masters: they suspected him of schemes, for compelling the Syro-Frank states to acknowledge themselves vassals of his crown. And this distrust, awakened, perhaps, by the somewhat singular, if purely accidental circumstance, that the leaders of these Crusaders were the Archbishop of Mainz, Arch-Chancellor of the Holy Roman Empire, and the Bishop of Würzburg, the Emperor's acting Chancellor, would not be allayed by the conduct of one of these high functionaries, even upon his way to Palestine.

The fleet, touching at Cyprus, now a hospitable land to pilgrims, found King Guy just dead. His brother, Amalric de Lusignan, claimed the kingdom as his natural heir, but, although no one appears to have dreamt of disputing his right, he had as yet neither assumed the government nor been proclaimed king. Under these circumstances, the Bishop of Würzburg officiously tendered his services to crown him. Now as Cyprus was indisputably, if not an independent kingdom, a dependency, either, still, as for ages, of the East-Roman Empire, or of England,—whose King had conquered, and given the island to Guy—every way unconnected with Germany or the West-Roman Empire, this seemed indicative of a design to extend the German Emperor's sovereignty, over all the Latin states in the East; and, weak as was the remaining fragment of the kingdom of Jerusalem, the idea of such vassalage revolted the pride of monarch and subject. Henry, a French peer and Asiatic king, bore to the Germans a Frenchman's innate, contemptuous dislike, especially detesting the Emperor Henry VI, as the enemy of his half-worshipped uncle, Richard. To the Templars and Hospitalers, who, as has been observed, had very few Germans in their ranks, German sovereignty seemed the

more peculiarly repugnant, from the existence of a distinct Teutonic Order; which, again, was as yet too young and feeble for its sympathies at all to countervail this national jealousy. A sentiment fully shared by those Italian, French, and English Crusaders, who, having remained in Palestine since the last Crusade, saw, with misgivings enhanced by dislike, a crusading army wholly German. The two Chancellors soon perceived the ill will entertained towards them, and reciprocated the distrust, suspecting the King of secretly counteracting them; a suspicion to rebut which, as regarded their warfare against the Mohammedans, his own interest, when once the truce had been actually broken, was surely argument sufficient.

Meanwhile the main body of the Crusaders, leaving the Bishop of Würzburg at Cyprus, had hastened forward. Arriving at Acre in the midst of such internal broils and consequent weakness, they declared themselves unbound by treaties, of either English or Syro-Frank King, with misbelievers; and, without further ceremony, attacked Sidon. The Mohammedans, relying upon the truce, were surprised unprepared. The military Orders, despite the ill will they bore their new auxiliaries, of course joined the assailants of their natural enemies; and the town was taken, almost before it was known to be threatened. But the King of Jerusalem could no longer either counteract or co-operate with his allies. A strange accident, as though to increase the confusion, terminated the reign and life of King Henry. The accident is diversly related. According to the most generally received account, he was either upon the roof, or in a balcony of his palace, having selected so unusual a locality for the performance of his ablutions, when incautiously stooping forward he overbalanced himself, and fell headlong to the ground. The more likely version of one old Chronicler, adopted by one modern Orientalist,(5) sends him to the roof or balcony, for the appropriate purpose of watching the departure of his own troops, upon their march to join the Crusaders, against whom Malek-el-Adel was now in motion. That of another,(6) states that he was washing his hands in a room, when a noise in the street induced him, in order to see what was the matter, to lean against a

window, which being imperfectly fastened, gave way and he fell out. Whilst yet another old Chronicler(7) makes him in the act of haranguing the people when the fall occurred. Whichever way the extraordinary as fatal accident happened, Henry of Champagne and Jerusalem was killed upon the spot. All the French Crusaders, hitherto remaining in Palestine, went home upon the loss of their compatriot King.

This disaster befell in the autumn of 1197; and as the sceptre of Jerusalem was not to be wielded by female hands, the Barons immediately looked round for a fourth husband of their Queen. Their choice was not as suddenly made upon this, as upon the former occasion; but, after some contention and some caballing, very judiciously settled upon Amalric, King of Cyprus; a connexion calculated by uniting, to strengthen both small kingdoms. And as Amalric had to be invited from Cyprus, the indecent precipitation of Isabel's third marriage, in the first week of her widowhood and in a state of pregnancy, was precluded upon this occasion. Henry's singular and premature end was, by many persons, deemed the judgment of Heaven upon that indecency. Even Innocent spoke of the untimely deaths, of both Henry and his predecessor Conrad, as divine judgments, not indeed for indecorous haste, but, for their adulterous pretended marriages with the wife of a living husband. This offence, likewise, was now obviated; Humphrey de Thoron had died since his wife's third marriage, and Isabel was now really a widow.

The new Crusaders meanwhile, under the Duke of Brabant and the Earl of Holstein, were besieging Berytus, the modern Beyrout, and there occurred their first serious conflict with the Saracens. The place was resolutely defended, and the castle still held out, long after the city was in the possession of the Christians. But the ultimate capture is very variously described, in all save one point; to wit, that the Moslem Governor, returning from a successful sally, fell into an ambuscade and was slain. During the confusion that ensued, according to some accounts, the Christian slaves and prisoners in the castle—of whom, Beyrout being a favourite port, there were numbers, diversly estimated anywhere from 14,000 to 300,000—

rising tumultuously, overpowered the small remaining garrison, and delivered up the castle to their fellow Christians; whilst, according to others, only three Christian slaves, or even one singly, managed to place it in Amalric's hands; and again, according to others, the whole body merely made signals of encouragement, to the camp of the besiegers and to the blockading squadron, which at that moment was taking up a more menacing position; when, the consternation of the besieged being complete, they evacuated the castle and fled, dispersing in all directions. The immense booty found in Berytus, was insufficient to satisfy the Crusaders, whose pious zeal for the recovery of the Holy City seldom dulled their sense of their own interest. They are said to have actually tortured many of their prisoners to death, to extort from them the disclosure of the supposed receptacles of treasures, still undiscovered. And here again we have another account, saying that the Crusaders tortured Christian slaves in the town for this purpose, which provoked those in the castle to deliver it up to Amalric individually, and not to the Crusaders. Arnold of Lubeck, in his narrative of this expedition, mentions the conveyance of intelligence by carrier-pigeons, as something previously unheard of and scarcely credible. A curious illustration of the slowness with which information in those ages circulated; carrier-pigeons having, it will be recollected, been employed for this purpose by Noureddin.

The exulting Crusaders now rested upon their oars, to enjoy their success; whilst the Archbishop of Mainz, leaving them, repaired to Armenia, there to execute his twofold commission. The Saracens, alarmed by the fall of Berytus, surrendering two or three places, the communication between Acre and Antioch was open; and the castle of Thoron, the only stronghold left to the Mohammedans upon this line of sea coast, besieged. The leaders of the Crusade confidently anticipated the recovery of Jerusalem, when their triumphant career was interrupted, by the unexpected tidings of the death of Henry VI. The Rhine Palsgrave and the Landgrave of Thuringia immediately embarked for Europe, accompanied by all, who either desired to turn the unavoidable confusion of the

moment to account, or were anxious to defend their possessions against those whom they suspected of such desires. Many, however, with the Bishop of Würzburg at their head—the Archbishop of Mainz was still absent in Armenia—at once taking the oath of allegiance to the son of the deceased Emperor, remained in Palestine to prosecute their conquests.

But their course of victory was run. Thoron offered, indeed, to capitulate, but the booty gathered at Berytus had stimulated the cupidity of the Crusaders; rapaciously eager to sack the place, they paused upon the offer. Whilst the Christian camp was divided upon this question, the approach of a mighty Syro-Egyptian army was announced, and the siege raised in a panic. The Crusaders strove to excuse their failure, by charging the Bishop of Würzburg and the Templars with being bribed by the Mahommedans, and, according to the ofttold tale, cheated with brass under a layer of gold. In the month of March, 1198, the bulk of those who had staid behind, embarked for Europe;—the Duke of Austria, the son of Richard Cœur de Lion's gaoler, died whilst preparing so to do;—but a part only of the returning Palmers reached their homes. Many were wrecked, plundered, and enslaved, on the Greek coast; others, wrecked upon the Apulian, were slaughtered, in gratification of the anti-Germanism created by Henry VI's tyranny.

If through the union of Cyprus with the fragment of Palestine retained by the Christians, the new King, thus thrown upon his own resources, was stronger than his predecessor, still, what hope could he entertain of recovering the lost provinces by the forces of a kingdom, in which Knights, Templars, and Hospitalers, Patriarch and Barons, all acted as independent powers; warring with each other, and making or breaking treaties with the Moslem at their pleasure? He was only too happy to renew the armistice that the German Crusaders had broken.

Antioch and Armenia, being less immediately threatened by the again tolerably concentrated power of the Mohammedans, could hardly be expected to set, the more endangered Jerusalemites, an example of profiting by the respite, to strengthen the Christian cause in Western Asia.

They were fighting for the conflicting claims to the principality of nephew and uncle, or rather, of father and son, for the younger Bohemund, as if exasperated by the honour done to his nephew's ablest champion, Leo, now no longer confined his demand to being acknowledged his father's heir. Supported by the Templars, and even by the Hospitalers,—whom their common ill will to the Germans had induced temporarily to join their rivals against Leo, a German vassal,—he deposed his aged father, and Antioch swore allegiance to him.

Such a state of weakness from internal dissensions, in a country liable, at any moment, to be inundated by misbelievers, alarmed Innocent, and vigorously did he endeavour to provide a remedy. He cancelled the excommunication illegally pronounced by the Archbishop of Sidon, as a friend of old Bohemund III, against the Templars, whom only their own Grand-Master, or the Pope, was entitled to excommunicate. He commanded the two Orders (whose ephemeral alliance the departure of the Germans had dissolved), to lay aside their enmity and unite for the defence of the Holy Land. He censured the Patriarchs of Jerusalem and Antioch, for their contest respecting the supremacy over the archbishopric of Tyre; appointing them a day upon which to appear before him, and explain their several pretensions; further censuring the former for sundry acts of rapacity and versatility. He interposed at Antioch, for the protection of church property, whether father or son, nephew or uncle were Prince. He mediated a reconciliation between Leo of Armenia and the two Orders; which effected, Leo reinstalled Bohemund III in his principality of Antioch and compelled Bohemund the son to retire to his county of Tripoli; both conjointly referring the question of right of inheritance, to the Pope. Leo appears to have faithfully observed this treaty; but the younger Bohemund, even whilst, as Earl of Tripoli, he was soliciting the Pope to procure him European protection against the Saracens, resisted his intervention in the succession question. The war was, in consequence, repeatedly renewed, without decisive result. But Innocent rewarded Leo, and gained the good will of Armenia, by sending the archiepiscopal pall to the

Katholikos, or Head of the Armenian hierarchy, and to the monarch, a consecrated banner, with the requested declaration, that only the Pope or his legate had authority over the King of Armenia; thus tacitly relieving him from his lately accepted vassalage to the Western Emperor. Innocent is said to have also found means of appeasing the wrath of Alexius Angelus, at the severance of Cyprus from the Eastern Empire; which wrath he had apprehended as an impediment to his projected Crusade.

For Innocent was well aware that even if united among themselves, wisely governed, and in cordial friendship with Armenia, the Syro-Franks would still be unable, without European succours, to maintain their strip of sea coast, far more to recover Jerusalem; and he continued to labour indefatigably, and judiciously as zealously, to organize a new Crusade for their assistance. He addressed pathetically vehement epistles to the princes of Europe, imploring them to lay aside private differences and enmities, in order to defend their brethren in Palestine, and again wrest the land, hallowed by the passion of their Redeemer, from the enemies of their holy religion. He sought to provide the funds necessary for a Crusade; himself with his Cardinals setting the example of liberality, by subscribing a tenth of their revenues. He laid a specific tax upon church property, regulating the percentage upon income to be paid by the several orders of regular, and ranks of secular clergy; and for this hallowed object he called upon all temporal princes in like manner to tax the laity. To guard against the possible misapplication or embezzlement of the funds so raised, their custody and distribution was everywhere to be committed to the bishop of the diocese, jointly with a knight Templar and a knight Hospitaler. Whoever, as a Crusader, received any portion thereof, was bound at his return, to produce a certificate of his having fulfilled his crusading vows, signed by the King of Jerusalem, the Patriarch, one of the Grand-Masters, or the Papal Legate. Whoever died upon the Crusade, was to transfer his share of the fund to a survivor. No one who had taken the Cross, could be released from the performance of the duty to which he had thus pledged himself, without the strictest investigation of his motives;

and when they were pronounced lawful, the excused Crusader was bound to contribute the sum his expedition would have cost him, to the general fund. By a sort of sumptuary law, Innocent prohibited tournaments, festivals, and all unnecessary expenditure in dress and the table—limiting even the number of dishes at a meal for nobleman and citizen respectively—until the object of the Crusade should be accomplished. He forbade Venice, under pain of an interdict, to trade with Moslem states for the same period; but upon her representation, that, having no land, she depended for bread upon her trade with corn-growing countries, he limited the prohibition to supplying them with what is now termed contraband of war. And he augmented the spiritual indulgences, and the temporal protection of person and property, usually granted to pilgrims and crusaders.

But Innocent, like Urban II, could find no royal leader for his Crusade. The times were unpropitious. France was under an interdict for Philip II's persistence in bigamy, and moreover engrossed by a war with England, equally engrossing English attention and resources. Germany was torn by the contention of Philip and Otho for the crown; Frederic of Sicily a mere child; the princes of the western peninsula were, as usual, engaged in hostilities with the Moslem at home; the northern and eastern European potentates, for the most part, occupied with internal broils and civil wars. But if the Pope's energetic measures were thus grievously counteracted, they were effectually aided by the passionate predication of a French parish priest, Foulque, pastor of Neuilly; who, after some years of indulgence in the gross sensuality, to which the ecclesiastics of his country, and especially of the Parisian diocese, are said to have been then prone,(8) in a sudden burst of enthusiasm, after due penance and penitential scourging, devoted himself to crusade-preaching. Whether he undertook this duty by the immediate command of Innocent III,(9) or as a sort of bequest from his own converter and spiritual guide, Peter, a chorister of Notre Dame at Paris, to whom Innocent or Celestin had assigned it,(10) may be questioned. But, however commissioned, Foulque, emulating Peter the Hermit, tra-

versed the country in all directions, preaching, commoting the minds of men, and awakening their sympathies, and religious zeal; still no palpable result appeared. It should seem that, in the absence of any new catastrophe in the Holy Land, the excitement of one of those favourite festivals, always denounced by the Popes, and now, in the supposed interest of the desired crusade, positively prohibited, was requisite to stimulate these feelings into action.

It was at a tournament held at Ecry, in the autumn of the year 1199, by Thibalt Earl of Champagne, brother and, in his county, heir of Henry King of Jerusalem, that Foulque found the opportunity of enkindling the enthusiasm of an assemblage of nobles, powerful enough, conjointly, to raise a really efficient Crusade. The princely giver of the tournament himself took the Cross; his cousin-german, Lewis, Earl of Blois—similarly nephew to the Kings of France and England—and his sister's husband, Baldwin, Earl of Flanders and Hainault followed his example, as did the less powerful Earls, Simon and Guy de Montfort, Gaultier and Jean de Brienne, the Bishop of Soissons, with many other nobles, knights, and prelates, there present: all these Crusaders at once chose the Earl of Champagne for their leader. This was the spark wanting to light the fire. The flame now spread; on all sides the Cross was taken, and no fear remained of the Crusade failing for want of numbers. Councils—shall they be termed of war or of policy?—met to arrange future proceedings, when a new course was suggested and adopted; it was resolved to conquer Egypt prior to attempting the recovery of Jerusalem, thus to give the feebler kingdom support and stability. (11) The preparations, as usual, consumed much time; and only in February, 1201, were six Barons—Villehardouin Marshal of Champagne, the Chronicler of this Crusade, being one—despatched to Italy, there to arrange with the great mercantile cities, the conveyance of the army to Egypt.

The Envoys repaired to Venice, already superior to her rivals Pisa and Genoa, whilst of the southern monarchial rival of all three, Sicily, the naval energies appeared to have expired with the last, in the direct male line, of her

Norman kings, William II. She showed none during Tancred's usurpation, or the short and troubled reign of Constance and her despotic consort. Venice was steadily advancing towards the zenith of her maritime and commercial greatness. By habitually acknowledging the sovereignty of the East-Roman emperors, who were in no condition to interfere with her perfect independence, she at once guarded herself against the assumption of sovereignty by the more formidable western emperors (whom she acknowledged when her interest required), and greatly benefited her trade;—throughout the Eastern Empire, as a part thereof, she enjoyed the privileges of nationality. The first use she had made of her independence was to elect her own despot, in her Duke or Doge; but even in the eleventh century, the opulent merchants and nobles, growing impatient of his arbitrary authority, had begun to place restraints, in the form of Councils, upon its exercise. Of these Councils, in the twelfth century, there were two; namely, the Great Council, and a smaller, called *I Pregadi*, literally the Invited, because the Doge, selecting them himself, invited them to help him with their advice. Both these bodies consisted solely of nobles. At the opening of the thirteenth century, the *Pregadi* had become a Senate, regularly elected by the Great Council; and as a further control upon the Doge, a still smaller council, analogous to the *Credenza* of the Lombard cities, was created. But if the Doge had thus lost much of his pristine despotism, he was still far removed from his later puppethood; and his power was, generally speaking, proportionate to his individual talents and popularity. The blind nonagenarian, Enrico Dandolo, with whom the Barons had to treat, was wellnigh absolute.

He and his three Councils readily undertook the transportation of the crusading host to Egypt; but—deeply interested as was Venice, by commercial rather than religious considerations, in the existence of the kingdom of Jerusalem—not gratuitously. The Doge and Councils proposed, for the sum of 85,000 marks of silver, of Cologne weight, to provide 4500 knights with their 9000 esquires or men at arms and their horses, as also 20,000 infantry, with conveyance and nine months' subsistence; the money to be paid upon

the 1st of April of the next year, 1202, and the fleet to sail with the Crusaders, by the ensuing Midsummer day, at the latest. The Barons agreed to the terms, borrowed 2000 marks in Venice, which, by way of clenching the bargain, they paid to the Doge as earnest; and returning, reported their arrangements to their employers. The Doge at their departure observed to them, that he should not be disinclined to join the expedition with fifty ships, on account of the republic, if assured of half the expected conquests.

The treaty was communicated to the Pope, who well knowing both the improvidence of the noble Crusaders—which was likely to impoverish them—and the grasping disposition of the Republic, refused to sanction the terms, without the addition of a clause, abjuring all idea of aggression upon any Christian state, and binding the Venetians neither to take any advantage of the pilgrims, nor upon any pretext, to hinder or delay their voyage. The Venetians positively refused to insert a clause that implied mistrust of their honour; and Innocent, in his anxiety to forward the expedition, did not persist in the demand. But he endeavoured to supply the place of the rejected clause, and marked his unaltered opinion of the contracting parties, by prohibiting, under pain of excommunication, any act of hostility against a Christian state.

The diplomatist Barons, meanwhile, heedless or ignorant of the Pope's fears and disapproval, were welcomed by their employers as skilful negotiators. But they found their chosen Chief ill, and their tidings if they cheered, could not cure him. In the month of May he died, leaving much of the sum he had gathered together for the expenses of the Crusade, to individual Crusaders, whom he judged unable to pay their way. Another leader now had to be found. The Duke of Burgundy and the Earl of Bar, severally and successively, declined the proffered honour; whereupon the zealous Villehardouin, a person of weight, as Marshal of Champagne, proposed the Marquess of Montferrat, brother of Marquesses William and Conrad, husbands respectively of Sibylla and of Isabel, Queens of Jerusalem. The idea was well received, the only objection to Marchese Bonifazio being, that he had not taken the

Cross; which, Villehardouin alleged was a recommendation, since by tempting him with the supreme command they might gain a powerful confederate. And he was in the right; after a short hesitation, the Marquess accepted the post of Commander-in-Chief, took the Cross, and repaired to the Council of Crusaders, to settle in detail the plan of operations. This done, he returned to Italy to make his own preliminary arrangements.

At length all preparations were complete; the funds raised for the poorer pilgrims, duly distributed, and in the early spring of 1202, the Crusaders set forth. Earl Baldwin divided his contingent; leaving a considerable body to proceed by sea with his Countess, when she should have recovered from her expected confinement; and many of the Lower Lorrain Crusaders attached themselves to this division. The Earl himself, his brother Henry, and many French noblemen, led the main body of the army, chiefly French, Flemish, and Hainaulters, through Savoy, over Mount Cenis, and across the plain of Lombardy, to Venice. There they were met by one division of Germans, under the Bishop of Halberstadt and the Earl of Katzenellenbogen, who traversed the Tyrol; and by a second, under the active and zealous Martin, Abbot of the Cistertian abbey of Paris, in Alsace. But numbers, in detached bands, declaring the voyage from Venice too perilous, either embarked at Marseilles for Acre, or proceeded, as of old, through the whole length of Italy to take shipping in an Apulian port. Innocent condemned this dissemination of the crusading army, as calculated both to weaken its efficiency on landing, ([12]) and to occasion difficulties at Venice; where conveyance would be provided for all, and a certain sum claimed, of which the shares of those who followed other roads would be wanting. These detached bands proved, in the end, almost the only part of the host, who struck a blow for the Holy Land.

Upon reaching Venice, the Crusaders found everything ready for immediate sailing; but a large portion of the money to be paid was deficient, both through the failure of those who took other routes, and through the less wealthy pilgrims having already spent what was to have served them for the whole expedition. Great perplexity

now prevailed in the army; of those destitute of money, some proposed to be left behind until they could procure means to pay their passage, those who had paid, proceeding without them; others, required that the Venetians should, if not transport them gratuitously, at least give them credit, till they should, in Egypt, have collected booty sufficient to meet their engagements; and others, again, that the rich should pay for the poor. The first two proposals were at once rejected; the leaders not chusing to go without their troops, the Venetians refusing any sort of compromise, and declaring that not an anchor should be weighed, till the whole 85,000 marks was paid. In answer to the third demand, the leaders acted with becoming liberality; they gave what cash they had left; they sent plate, gold ornaments, and jewellery, to the Doge's palace; but still, it is asserted, though hardly credible, that the deficiency amounted to nearly half the covenanted sum. No prospect of a move appeared; and the Venetians, alarmed at the numbers of their warlike guests, required them to confine themselves to the island of San Nicolao,(18) where they rapidly lost their horses.

And now it was, that glimpses of the blind old Doge's scheme began to transpire, justifying Innocent's mistrust. Ninety-four winters had not impaired Dandolo's intellect, courage, ambition, or even his activity; and his blindness, which might have been expected to diminish, if not destroy, the last of these qualities, had, perhaps, rather quickened them all, by the keen stimulus of vengeance. Against whom his vindictive passions burned, is indeed doubtful; some accounts imputing his loss of sight to one of the Constantinopolitan usurpers, during a casual quarrel between the Greeks and the Venetians; others to the Emperor Manuel's resentment at the co-operation of Venice with the Germans, in the siege of Ancona; whilst others, acquitting the Greeks, assert that he thus suffered—whether accidentally or of set purpose—at Zara, during an insurrection of that city, against the hated yoke of a rival commercial state, whose superior power could be really resisted only by incorporation with Hungary. Be this as it may, Dandolo had from the first, anticipated the inability of the Crusaders, to produce the large sum

stipulated; and, thoroughly indifferent to the papal menace of excommunication, he had projected making the gallant warriors discharge their debt, by military service to the republic. Whether he and his Councils had since received a bribe from the Egyptian Sultan to divert the storm from his realm, and if they had, whether that bribe were in the form of money, or, the less gross, of commercial monopoly —great were the commercial advantages enjoyed by Venice in Egypt—are questions upon which historians have ever been, still are, and are likely to continue, divided. Nor, save as taking a bribe from a Moslem to obstruct Christian policy, would yet further degrade the character of a republic, ever unscrupulous as selfish, do they much signify; since the line of conduct, to purchase which the bribe would be given, coincided with the Doge's project; believed, even by some of the latest writers,(14) to have always embraced the placing a creature of Venice upon the Constantinopolitan throne.

The position of affairs now being what he expected, the Doge assembled his Privy Council, and represented to this august body, that Venice would incur the reprobation of Christendom, should she, for the sake of a few marks of silver, prevent the recovery of the Holy City. He therefore proposed, by way of compromise, to give the Crusaders time for the payment of their debt, upon condition of their assisting the republic to regain the Dalmatian city of Zara, then held by the King of Hungary. The Crusaders, in general, were too happy to relieve the pressure of an inconvenient debt, and extricate themselves from a position of great difficulty, by doing that in which they most delighted, to wit, fighting; hence those who conscientiously objected to disobeying the Pope, by turning arms, consecrated to the service of the Cross, against fellow Christians, were speedily overpowered. Some few, indeed, abandoned the enterprise upon this change of purpose, and went home; but this was equally a breach of their vow, and one altogether dishonourable. The great body prepared to serve Venice. Marchese Bonifazio was not then with the army, but at Rome, whither he had gone to consult Innocent upon the difficulty that had occurred, and also upon a proposal recently made to the Crusaders:

Alexius the Younger, having implored them to reinstall his father, and offered to repay the service, by joining the Crusade with the forces of the East-Roman Empire.

At Venice, meanwhile, Dandolo having succeeded in the first step of his scheme, prepared to take the second. He wanted the actual command of the expedition against Zara, thus to steal into the direction of the future course of the Crusaders—as they still entitled themselves, retaining the Cross upon their garments, whilst proceeding to shed Christian blood, in defiance of the anathema denounced by him, whom they revered as the Vicegerent of Christ, against any deviation from the crusading vow. To achieve this object, the Doge, upon the following Sunday, ascended the pulpit in St. Mark's church, and thence, prior to the celebration of Mass, thus addressed the congregated leaders of the warrior-pilgrims: "My Lords, I am, as you see, old, blind, and infirm, such as might well desire repose. Yet, would you permit me, fain would I share, whether for life or for death, in this noblest of enterprises, to be executed in fellowship with the best and bravest knights in existence. Moreover, well am I assured that, in the present subsidiary expedition, at least, despite my infirmities, ye cannot have a better leader than myself."

The bold words of the sightless veteran touched every heart. Whilst from every eye burst tears, an unanimous cry of, "In God's name be thou our comrade, our leader!" arose. Dandolo allowed no time for change; descending from the pulpit, he hastened to the high altar, and there kneeling, received the Cross. Many Venetians instantly followed the example of their Doge. The Republic, by the unprecedented compliment of permitting him to appoint his own son his deputy in his high office, during his absence, marked the extraordinary veneration felt for him.

These and some other negotiations consumed the whole summer; one of the last relating to the Papal Legate. Cardinal Pietro di San Marcello, arriving in that capacity to assume the conduct of the Crusade, of course vehemently insisted upon sailing, as originally intended, direct for Alexandria; protesting against any diversion of Crusaders to mere worldly objects. He was received with due reverence; but Dandolo refused to relinquish at his

bidding the advantage he had gained, or, to admit him on board, in any authoritative character, though, as an additional crusading prelate, most welcome. The Cardinal-Legate, on the other hand, refused to accompany a body of Crusaders who disowned his authority; but directed the Bishop of Halberstadt and four Cistertian Abbots, who were about to withdraw from the perverted Crusade, to remain with the army, lest it should disperse after taking Zara; and to use their utmost exertions to avert both the spilling of Christian blood, and the further luring of the Crusade from its proper object.([15]) The Cardinal, after some little delay, repaired to an Apulian port, where he embarked for Palestine. The Marquess of Montferrat, declining to take part in an attack upon Christians, returned home; but promised to rejoin the Crusaders, when they should be ready to resume the Crusade. Gaultier de Brienne had earlier, and less honourably, left his comrades. Even pending the original negotiations at Venice, he led a band to Apulia, there to inforce his wife Albina's claim to her brother's inheritance, promising to join the Crusaders at their place of embarcation. This promise he had not kept.([16])

Upon the 8th of October, 1202, the Crusaders embarked, and the fleet, amounting to 430 vessels, of various sizes and descriptions, adapted to the conveyance of men, horses, machinery, and provisions, including, and headed by, 50 galleys, set sail, amidst the acclamations and prayers of an immense concourse of people. So formidable an array did this combination of a crusading army with the naval force of Venice present, that the rebellious subjects and hostile neighbours of the republic trembled. Trieste and Muggia, which Dandolo, when fairly at sea, had prevailed upon the Crusaders to attack, preliminarily to Zara, sent deputies with tribute and professions of obedience, to the advancing armament. Dandolo was satisfied with their submission, and steered for Zara, where, on the 10th of November, the troops landed. The sight of the strong position and fortifications of this town, situated at the point of a projecting tongue of land, gave weight to the protestations of the Cistertian Abbots against this aggression upon a king, who still bore the Cross, if dilatory in

the performance of his vow. Those who had uniformly resisted the change of plan, and those who had reluctantly suffered themselves to be dragged into it, gained strength. The inhabitants, indeed, alarmed, like those of Trieste and Muggia, at the host that threatened them, early made overtures to the Doge; but the hope, awakened by the dissentients from this enterprise among the Crusaders, that the bulk of the army would recoil from attacking the King of Hungary's dominions, broke the negotiation.

The incensed Doge vehemently reproached the Crusaders, for thus robbing him of the bloodless triumph he had nearly secured; threatening to set sail and leave them where they were, if they did not, by at once besieging Zara, make good the injury they had done him. Fear of being deserted by the vessels that were to bear them onward, prevailed over dread of incurring a confirmed sentence of excommunication by violating their vow: the Pope's commands were again disobeyed, and the Crusaders laid siege to Zara. Upon the sixth day, November 24th, the city of a Christian King and professed Crusader, was taken by his fellow Crusaders. The booty was immense, and its division gave birth to quarrels, fraught, seemingly, with the dissolution of the armament. These, the opponents of the enterprise called proofs of the Divine wrath, at such perversion of a Crusade from the service of the Cross. The danger was, however, averted, the division effected, and the Crusaders paid, out of their share, an instalment of their debt to Venice. The Marquess of Montferrat now joined them, and all united in urging Dandolo to proceed, without further delay, to Alexandria. He replied that to undertake the voyage so late in the season, were downright insanity; spring must perforce be awaited in Dalmatia.

Meanwhile Emmeric complained to the Pope, both of this invasion of his territories, and of the outrages perpetrated upon his subjects at the capture of Zara. Innocent at once excommunicated all participators in the offence, Venetians as well as Crusaders, commanding them to restore the town to the King of Hungary, and the booty to the plundered. The Council of Princes resolved to conceal this sentence—lest, by disheartening the Crusaders,

it should lead to their disbanding—whilst they sued for its revocation. To this end they sent a deputation, headed by Abbot Martin, to Rome, apologetically to represent their absolute dependence for conveyance upon the Venetians, who heeded neither remonstrance nor supplication; upon this ground, humbly imploring their pardon of the Holy Father. Innocent felt the force of the plea, and revoking the excommunication of all but the Venetians, even permitted the Crusaders—the evil being inevitable—to associate with their still anathematized confederates, until they should reach the intended theatre of war; but he strictly charged them to maintain a penitent and mourning frame of mind, during this season of pollution; and, upon landing, to break off all intercourse with those who had betrayed them into guilt. He added, that no excuse whatever could be admitted, for any further delay in the fulfilment of their vow. Abbot Martin would not return to a crusading army so dependent upon worldly-minded allies, and proceeded direct to Palestine.

But the winter's sojourn at Zara was not favourable to the obedience readily, and no doubt honestly promised, to these injunctions. It gave time and opportunity both for Venetian intrigue, and for the renewal, in a more distinct and effective form, of the proposals, made some months before by Alexius the Younger; to which a vague answer, desiring to know what assistance Philip could afford, towards either the Crusade or the proposed enterprise, had then been returned. The reply was brought before the close of the year 1202, to Zara, by envoys from Philip and Alexius, who earnestly solicited the aid of the assembled princes. They dwelt upon the crimes of Alexius III; urging that the chastisement of flagrant guilt, and the relief of the injured and oppressed, were duties incumbent upon Christian knights. Finally, they represented that, so far from impeding the proper object of the Crusade, the preliminary expedition proposed would in fact advance it; since Alexius the Younger would pledge himself, if the imperial power were placed by them in his hands, to pay, in guerdon of such services, 100,000 marks to the Crusaders, and another 100,000 to the Venetians, besides 30,000, as damages for Venetian losses by confiscation, at

the period of persecution; further, to supply the army with provisions during the whole Crusade, to reinforce the invaders of Egypt with 10,000 men for a year; to maintain constantly, even till the end of his life, 500 knights in Palestine, and to subject his empire to the spiritual supremacy of the Roman See.(17)

Tempting as these offers were the Cistertian Abbots, led by Abbot Guy of Vaux-Sernay, earnestly protested against such a second deviation from their prefixed course, as an attack upon Constantinople; and were warmly supported by the de Montforts, with all the more zealous Crusaders. But the Doge pronounced it suicidal in Crusaders, to reject offers of such assistance in their hallowed enterprise. The Marquess of Montferrat, the Earls of Flanders, Blois and St. Pol were influenced by his eloquence, or captivated by the dazzling prospect; some of the prelates were caught, by the hope of reuniting the Greek, to the Roman Catholic Church; and the German leaders liked not to oppose the restoration of Irene's father. In spite of the vehement opposition of the Abbot of Vaux-Sernay, and his party, Dandolo, and Marchese Bonifazio, sanctioned by most of the leaders, concluded a treaty with the envoys of Alexius, upon the terms proposed. Soon after Easter the young Prince repaired to Zara, and was received by the Crusaders, as the heir of the Eastern Empire.

Pending these negotiations, the army had been much weakened, by the desertion of those who disapproved of conduct, which they thought degraded the Champions of the Cross, into mercenaries of selfish states and princes. Numbers returned home, whilst the more zealous watched for opportunities of making their way, singly or in parties, to Palestine; Egypt being, for small bands, out of the question. Amongst these last were Abbot Guy and the de Montforts.(18)

In the beginning of May, the army, and the Imperial Prince, embarked, touched at Dyrrachium, now Durazzo, which at once declared for Isaac and Alexius, and proceeded to Corcyra, now Corfu. Here they obtained only a promise to acknowledge Isaac if he should be restored to power; but they landed, and, tempted seemingly by the fertility and luxury of the island, wasted three weeks there.

During this sojourn, a large body of those who had rather yielded than agreed to the attempt then in hand, announced their determination to address themselves, without further deviation or procrastination, to the performance of their crusading vow; and, separating from the rest, they encamped in a retired valley. Dandolo and the partisans of Alexius were alarmed. In a body the Crusader-Princes sought the separate camp, and urged upon these seceders the arguments that had prevailed with themselves. But in vain. The staunch Crusaders refused to disobey the Pope, by longer neglecting their vow, for any mere worldly consideration. It was not till they beheld the leaders whom they had chosen and sworn to obey, with their kinsmen, friends, and brothers in arms, upon their knees, till they heard them imploring with tears, that they would not, by withdrawing, so weaken the army as, ultimately, to foil the grand object—which these seeming deviations would really promote—that the firmness of the single-minded Crusaders gave way. They agreed to assist until Michaelmas in these extraneous schemes, as they still deemed them, upon a clear understanding that then, without delay or evasion, and whatever were the position relative to Constantinople, vessels sufficient for their conveyance to their destination, should be assigned them. To this compromise both parties solemnly swore; and at Whitsuntide, the armament left Corfu for Constantinople.

Upon the voyage, another island, Andros, was secured for Isaac and Alexius the Younger, and by the 23d of June the fleet entered the Propontis. But as the splendours and beauties of Constantinople opened upon the eyes of the Crusaders, so did its size, strength, and populousness upon their apprehensions. They perceived the inadequacy of their means to the adventure in which they had engaged, and dejection pervaded the fleet. Dandolo, informed of this despondency, assembled the leaders, and, by his assurances of success, supported by instructions as to the means of obtaining it, founded upon intimate knowledge, topographical and moral, of Constantinople and the vicinity, revived their drooping spirits. Early in the morning of the 24th, the fleet weighed anchor, sailing past the city and close in shore. The walls were

crowded with armed men; stones, darts, and arrows, rattled about the ships; but the knights, forming with their shields, an iron rampart along each vessel's side, that protected deck and crew, they passed unharmed. The army landed upon the Asiatic shore, occupying the fruitful district of Scutari, then still called Chalcedon.

Here a Lombard, named Rossi, domiciliated at Constantinople, presented himself as an envoy from Alexius III. His mission was to express, in the Emperor's name, his surprise, that Christian pilgrims should turn aside from their hallowed task, to invade the dominions of a Christian monarch; and his willingness to assist the crusading Princes, whom he admitted to be the highest beneath the rank of kings, in the conquest of the Holy Land; first, however, insisting upon their immediate evacuation of his territories and his seas, under pain of being swept away and annihilated by his irresistible might. And scarcely could this description of his power be deemed hyperbolical; for Alexius III was not taken by surprise. When informed of the altered destination of the crusading fleet, though he disdained to take other measures of precaution, he had collected troops in and about the city, to the amount, it is said, of 60,000 horse, and countless swarms of foot.(19) The Princes answered his messenger, by the mouth of the good knight, Conon de Bethune, that they had invaded no Christian monarch's dominions, the East-Roman empire belonging, not to Alexius, but Isaac; to whom, if he would quietly restore the sceptre, they would pledge themselves to obtain him a full pardon, with a handsome allowance; but if he persevered in his usurpation, they desired to have no more messages.

The Envoy dismissed with this answer, the leaders of the Crusade, proceeded to give their words weight, by placing Prince Alexius, in imperial array, on the poop of the admiral ship, thus exhibiting him to Constantinople as her sovereign, whilst, as before, sailing along the city walls. From their decks they shouted to the Greeks, who again thronged the battlements,—though now in pacific guise—"Behold your lawful Emperor! Obey him, and forsake the vile usurper who has expelled him! We come, not to make war upon you, but to help you to right yourselves.

Unless, indeed, you chuse to fly in the face of justice, of reason, and of God; in which case we will do you all the harm we can."

Not a hand, not a voice, was raised for the pretender; the Greeks, who felt secure in their numerical superiority behind their walls, being little disposed to risk life and property, for one despot rather than another; and in fact preferring Alexius III to Isaac, as less sanguinary. The Crusaders, to their surprise and disappointment, saw that only by the sword could aught be done; whilst, to the unskilful engineers of the twelfth and thirteenth centuries, the city appeared impregnable; and indeed with ordinary courage and judgment in its defenders, must, to their numbers, have been so. Constantinople, in the form of a triangle, occupies one of the projecting arms inclosing the bay; the well fortified base alone being accessible by land; one side is washed by the waters of the harbour, the mouth of which, commanded by the castle of Galata upon the opposite extremity, was closed by a strong chain; and the other, guarded both by fortifications and by the Propontis, the strong currents of which, rendered it difficult, if not dangerous, for a fleet to lie close enough under the outer walls, to attack from the ship-towers.

But the stalwart champions of Alexius the Younger, when once resolved to execute a purpose, were not to be daunted by obstacles, which the Greeks deemed insuperable. In the night, the Crusaders confessed, received absolution, took the sacrament, armed, and re-embarked. The first beams of the rising sun, as they gilded the dome of St. Sophia, saw them steering for Galata. The Greek troops, in terrific numbers and warlike array, occupied this suburb. The sight of an enemy fired the assailants, and without waiting for the lowering of the drawbridges, designed to facilitate landing, or storming walls, knights, squires, men-at-arms, and archers, impatient to engage, leaped into the sea, and through water rising up to their middle, waded ashore. This exploit sufficed, and engagement there was none: the mere sight of such impetuous warriors being enough for the degenerate Greeks. They fled without striking a blow, and the Crusaders were now firmly established in a suburb, on the European side of

the strait, but with the harbour between them and the city.

The following day they, almost as easily, possessed themselves of the castle of Galata, whilst their largest ship, named the Eagle, broke the chain closing the entrance of the harbour. The whole fleet then sailed quietly in, passed close along the hitherto unapproachable side of the city, and anchored in the innermost recess of the port. The Crusaders, repairing a bridge destroyed by the Greeks, then passed from Galata to a position menacing the north-western extremity of Constantinople; here they encamped, strongly entrenching themselves. So near were they to the celebrated Blachernæ palace, that their arrows flew in through the windows, to the no small affright of the inhabitants; but so inadequate were their numbers to the operation they had undertaken, that they could blockade only one gate of the besieged city.

For the degree of success thus achieved, the Crusaders were indebted at least as much to the negligence, corruption, and arrogance of their enemies as to their own valour; and Alexius the Younger continued to profit alike by the opposite qualities of friend and foe. Fleet to oppose the Venetian, there was none; the Admiral Stryphinios, married to the Emperor's sister, instead of equipping one with the stores accumulated for that purpose in the Arsenal, had either sold, or suffered others to purloin them, even to the dismantling of ships, supposed ready for service. The Emperor, though he had assembled troops, refused to order any measure for the prevention of the Crusaders' landing; expressing his disdain of the paucity of their numbers, and consequent confidence in their subsequent discomfiture, without need of effort on his part, in words too coarsely indecent to defile an English page. And in such contemptuous negligence he persisted, whilst the Crusaders on shore, and the Venetians afloat, were diligently preparing their various warlike engines.

When all was ready, the leaders of the Crusade, undeterred by the failure of some slight desultory attempts, determined upon making a simultaneous assault, the Crusaders on the land side, the Venetians from the

harbour; and Dandolo offered prizes to whoever should first scale the walls. From the very beginning of the siege Theodore Lascaris, the more energetic son-in-law of the inert Alexius III, had been vainly soliciting permission to lead the troops then in Constantinople—not Greeks but mercenaries, the old Warangians(20) from all European countries, and some Asiatic,—against the handful of Crusaders; he had at last extorted a reluctant assent, and, on the 17th of July, was preparing for a sally, when the walls of the city were assailed. He was thus ready to meet and cheek the storm. With some hard fighting, he twice repulsed the Crusaders; and the Emperor, who is believed to have grudged his son-in-law such triumphs, was excited into leading in person the projected sally, which immediately followed the repulse of the besiegers.(21) The Imperial troops were to the Crusaders in the proportion of at least ten to one. The Crusaders fought with their accustomed gallantry; but neither valour nor prowess can counterbalance such disparity of numbers, unless aided by arrant cowardice in the enemy. The defeat of Alexius the Younger's friends seemed inevitable.

Afloat, meanwhile, the blind old Doge, armed cap-à-pie, had taken his post at the prow of his own ship, with the banner of St. Mark in his hand. Waving it over his head, he, in accents unweakened by age, ordered his helmsman to steer right on shore. He was obeyed, and the whole fleet followed. If Constantinople really could boast a second Theodore Lascaris, he—of whom later—was helping to overpower the Crusaders; and the Venetians encountered little resistance. They forced a landing, scaled the walls, and had mastered several of the towers, when their triumphant progress was checked by news of the imminent danger of their allies. Dandolo felt that his success, if accompanied by the defeat of the land army, would, at best, be ephemeral and nugatory. He therefore merely set the houses within his reach on fire, and at once withdrew to his ships; the fierce conflagration engrossing the thoughts of those who might have hampered his movements. Being thus at liberty, he with his sailors hastened to reinforce the struggling Crusaders. They were already relieved: either the sight of the conflagration, or into-

lerance of prolonged exertion, and jealous reluctance to allow Lascaris a triumph, won singly, having determined the Emperor to abandon the victory in his grasp. Even united, the Venetians and Crusaders felt themselves no match for the Constantinopolitan army in the open field; and both parties retreated, the one behind their walls, the other to their entrenchments, and their ships.

Thus, on the morning of the 18th, either belligerant appeared to be in the same position as on the preceding morning; the only result of the combined attacks and of the formidable sally, being loss of life and destruction of property. But the appearance was illusory; one change was wrought, the parent of many. Alexius III had been more terrified by the temporary success of the Venetian fleet, than encouraged by that of his own army. During the night, he fled with part of his family; and next morning, his young rival and the Crusaders were agreeably surprised by a message from the blind Isaac, importing that he, the Emperor on his throne, impatiently expected his son, and his magnanimous allies.

Dandolo, however, taught by bitter experience of Greek faith, placed no reliance upon the gratitude of either father or son. It was the interest of Venice, not compassion, that had induced him to undertake the restoration of Isaac; and he now prevented the departure of his imperial protegé. In his stead, a mission, headed by Marshal Geoffroi de Villehardouin, was despatched, to present the congratulations of the Doge and the crusading Princes to the restored Emperor, and to inform him that, until he should have ratified the treaty concluded with his son, they could not permit the Prince to leave them.

The Emperor, somewhat startled, inquired what the terms of the treaty might be. The Marshal stated them; and ended by repeating his demand for their ratification and execution. Isaac replied, "Of a truth so burthensome are these conditions that how they are to be executed I do not see. Nevertheless, so much have you done for my son and for me, that had he promised you the whole empire, 'twere but what ye deserve."(22)

Thus from fear, combining with a transient sense of gratitude, and the young heir's detention as an hostage for the

fulfilment of his engagements, Isaac ratified the onerous treaty. This being announced, Alexius, amidst the martial display of the Crusaders, the courtly pomp of the Greeks, and the loud acclamations of all, was escorted to the arms of his parent. The meeting of the long fugitive son with the sightless father, in restored power and splendour, after their perils and sufferings, touched every heart. Upon the 1st of August, Alexius was solemnly crowned, as that sightless father's colleague. Peace prevailed; and a free, mutually beneficial trade, was established between the Constantinopolitans and the Crusaders; who, as a measure of precaution against sudden broils, were quartered on the opposite side of the harbour, at Pera. Alexius IV began to pay a first instalment of his debt.

CHAPTER IX.

PHILIP—OTHO.

Continuation of Fourth Crusade—Revolutions at Constantinople—City taken by Crusaders—Division of Eastern Empire—Baldwin Emperor of Constantinople—War with Bulgaria—Henry Emperor—Condition of Moslem and of Syro-Frank States. [1203—1208.

HARMONY, between the Constantinopolitan Greeks and the Crusaders, could hardly be of long continuance: so many circumstances and feelings concurred to disturb and overthrow it. The position of Alexius IV was one of difficulties, with which he was unfit to cope. He soon discovered, that to pay the covenanted sums, in the time specified, was altogether impossible; although, finding the treasury empty, and not daring to impose taxes adequate to his need, he was stripping churches of their plate for funds. His delays early produced dissatisfaction amongst his benefactors and creditors: whilst his subjects, as early, began to murmur at the sacrilegious spoliations in progress, as well as at the money extorted from themselves, for the discharge of debts, personal to the Emperors; and yet more, perhaps, at the outrage offered to their vanity, by the younger Emperor's degradingly familiar association with persons, so inferior to himself in station, as the crusading Princes. The Greek clergy resented his engagement to conform, to the heresies, as they deemed them, of the Roman Catholic Church, enslaving them under the despotic yoke of the Pope. Even betwixt the two Emperors discord arose; the father complaining, not unjustly, that his son, whilst abandoning himself to frivolous pleasures, was endeavouring to monopolise the sovereign power; the son, as justly, that his father wasted his time and re-

sources upon calumnious informers, or upon quack-doctors and fortune-tellers, who promised him the restoration of his sight, and of the whole Roman Empire.

Under these circumstances, Alexius represented to the crusading Princes, both his absolute inability to fulfil his engagements, and his fears of losing his crown, and even his life, if deprived of their support, ere he was more firmly established on his throne. He therefore solicited their patience till the spring of 1204; invited them to await this season in and about Constantinople, and undertook to feed fleet and army during their stay. The old dissensions hereupon revived amongst the Crusaders. Those who had uniformly objected to the Constantinopolitan adventure, vehemently opposed this new postponement of the great duty, to which every individual present was solemnly pledged; to perform which, they had left all that was dear to them. They argued that if Alexius IV could not maintain himself upon his throne without their support, they ought never to have seated him thereon; and refused longer to disobey the Pope, by leaving their fellowChristians, and the Holy Sepulchre itself, in thraldom to misbelievers, whilst upholding one usurper against another, merelyto promote the trade of Venice. They demanded at least, if the great body of Crusaders again chose to forget their vow, the ships promised for their conveyance to the goal of Christian pilgrims. Dandolo and his party, on the other hand, contended that the Pope, when he should rightly understand the transaction, could not but approve of measures, calculated to heal the great schism in the Church; that now to forsake the young Emperor, would indeed be to make all they had done sheer waste of time, forfeiting the succours in men, money, and provisions, promised them, and so important to their grand object; and they added, that the season for active operations would be nearly over, before the armament could possibly reach Egypt, or even Palestine. These arguments, aided by potent lures, held out to individual ambition, prevailed; and Alexius, undertaking further, to pay the Venetians for the use of their fleet, even till Michaelmas, 1204, which secured to the Crusaders its coöperation in the next year's campaign, the treaty was modified according to his wishes.

Alexius, accompanied by Marchese Bonifazio, and other leading Crusaders, now, at the head of what Villehardouin calls a mighty army, made a progress through the empire; partly to expel his uncle, Alexius III, who still held his court at Adrianople, and partly to get himself generally acknowledged. The uncle, Alexius III, fled; and the nephew, Alexius IV, trusting that in both his objects he had succeeded, returned triumphant in November, to find the reciprocal enmity between Greeks and Latins so increased in violence, that a spark only was wanting to enkindle the flame. Never was such spark long a-wanting. A mosque had, by convention with Saladin, been granted to the Mohammedans in Constantinople; this mosque, some of the Crusaders, naturally intolerant, attacked; the Greeks took part with the tolerated Moslem, and a conflict ensued. The consequent disorders gave occasion to a fire, that unhappily ravaged a large part of the city, consuming palaces, churches, and the best shops. The populace imputed the disaster to the Crusaders, who, intentionally or not, had been its cause; and the contemptuous detestation entertained for the rude, ignorant, and ferocious, Frank barbarians, became uncontroulable. The Greeks not only set fire to the Venetian fleet, which was rescued from destruction by the energy of the crews, but actually destroyed a beautiful bronze statue of Minerva, because the eyes of the goddess, looking westward, were thought to encourage these western Franks.

Alexius IV has been accused of designing to prevent a rebellion, by breaking with his burthensome benefactors. What is certain is, that his intercourse with them, after his return from the successful military excursion, or promenade, which he fancied had secured his throne, was less frequent and less cordial than previously; and that a deputation of Crusaders, bearing some complaint to the foot of the throne, was so ill received by both Emperors and Constantinopolitans, that the Marshal says they were right glad when without the walls. But if such were the ungrateful, and treacherous, as injudicious intention of their imperial obligee, his subjects did not leave him time so to dishonour himself. Upon the 25th of January, 1204, they tumultuously rose, forced the Senators and

Prelates to assemble, and insisted upon their forthwith electing another emperor. The assembly, seeing in such a step only a new complication of existing evils, strove to evade compliance; whereupon the more and more irritated populace endeavoured, by mingled prayers and menaces, to prevail upon one senator after another to accept the imperial dignity. Some days passed thus; then, exasperated by repeated refusals, they, of their sole authority, with or without his consent, proclaimed Nicolas Kanabus, a brave soldier, but otherwise insignificant young patrician, Emperor, declaring that he should not reject the crown.

Again Alexius IV saw in the Crusaders his only chance of support, and implored their assistance, offering to give the strong Blachernæ palace up to them, for his own security as well as for theirs. For the bearer of this request and proposal to the crusading camp, he selected the person who has been alluded to, as the possible rival of Theodore Lascaris, in courage and soldiership. This was his kinsman, Alexius Ducas, the Protovestiarius, surnamed Murzuflos, because his eyebrows met over the nose in one continuous line. He, although affianced to a daughter of the fugitive usurper, had remained in Constantinople, professing warm affection for Alexius IV, who believed him; but the friendship of Ducas, if it had ever existed, was soon overpowered by ambition and opportunity. The faithless envoy widely disseminated the intelligence, that the Emperor was again negociating with the Latins, and about to deliver the empire over to them. He thus more completely maddened the already enfrenzied populace; whilst, in various ways, he won some of the chief officers of the palace, and many foreign mercenaries of the imperial bodyguard, to his interest. Thus prepared, he, with constant reports of new, and more formidable tumults and dangers, alarmed the young Emperor, who, still considerably under twenty years of age, was, from his father's illness, then virtually sole sovereign; strengthening his intended victim's reliance upon himself, by protestations of devoted attachment and inviolable fidelity. And now he proceeded to act. He visited Alexius in the middle of the night, with accounts, so terrific, of rebellious violence, that he easily persuaded the deluded youth to

leave the imperial apartment, which it should seem would have been respected, and, under pretence of seeking a safe asylum, led him to his own official chambers, where the expecting conspirators immediately seized their sovereign, fettered his limbs, and thus chained, flung him into a dungeon. In this dungeon poison is said to have been given him, but neutralized, by the antidotes with which the captive was duly provided; wherefore, when the Crusaders insisted upon his liberation and restoration, he was, upon the 8th of February, strangled. His blind father, already alarmingly ill, either died through the effects of grief and terror upon a diseased and debilitated frame, or, like his son, was murdered. The illegally proclaimed Emperor, Nicolas Kanabus, was easily set aside, and, as Alexius V, Murzuflos assumed the imperial purple.

The Crusaders did not witness these changes with indifference. Such a revolution sweeping away their treaties, the promised money, provisions, and auxiliaries were lost; their time was indeed wasted, and excommunication deservedly incurred. To such consequences they could not tamely submit; but insisted upon father and son being immediately replaced upon the throne. The answer, announcing that both Emperors had died natural deaths, convinced them that both were murdered, as well as betrayed. Recoiling from Greek vice, crime, and levity, they declared it to be their duty to avenge the victims, and inflict condign punishment upon their assassins. Ambition enhanced, probably, and inforced their sense of duty.

The Doge and the crusading Princes, at the head of some 20,000 men, now resolved to conquer the East-Roman Empire, the capital of which, alone, was then reported to contain 400,000 fighting men.(23) Dissension, indeed, again occurred; but those who shrank from this fresh escape from the performance of their vow, this reiterated disobedience to the Pope, by again shedding Christian in lieu of Moslem blood, were silenced by assurances that the Holy Father would not only pardon, would reward with spiritual indulgences, the healing of the schism, the actual bringing back—by conquest—of the heretic Greeks into the pale of the Church. At length,

after much wrangling rather than discussion, upon the 12th of March, 1204, the Doge and the Princes signed a treaty, disposing of the East-Roman Empire after the following manner:

Constantinople was to be taken by the Crusaders and Venetians. All booty was to be deposited in some appointed place; a sum, sufficient to satisfy the engagements of the late Emperor Alexius IV, first set aside for that purpose, and then the remainder divided equally between the Franks and the Venetians.(24) Twelve men, named half by the former, half by the latter, were to elect an emperor, from amongst the leaders of the army; the choice, should the votes be equally divided, to be determined by lot. One quarter of the empire, with the Blachernæ and Boukoleon palaces, to belong to the emperor, the other three quarters to be divided equally between the Franks and the Venetians. The clergy of the party whence the emperor should not be selected, were to name the patriarch, and reconsecrate the Cathedral of St. Sophia, polluted by schismatics. Due provision was to be made for both Greek and Latin clergy, and the surplus church property given up to the laity. Twelve men, jointly named by the Franks and the Venetians, and sworn to act fairly, were to allot ministerial and court offices, distribute fiefs, heritable by females as well as males, and fix the service due for each to the emperor. No enemy of either party was to be suffered in the empire. The elected emperor was to swear observance of these regulations. Every one must take the oath of allegiance to the emperor for his fief, save the Doge, for the lands assigned to Venice. All existing privileges, liberties and the like, were to be confirmed; all parties to co-operate in establishing the new empire, and no one to absent himself before the end of March, 1205. Both parties were to unite in petitioning the Pope to sanction this treaty, and excommunicate every violator of its conditions.

Murzuflos gallantly defended the nefariously obtained imperial crown. From the moment of his usurpation he foresaw the certain hostility of the Crusaders, and occupied himself in strengthening the defences of Constantinople, already first rate in general estimation. Besides increasing

the number and size of his mangonels, &c., he added to the height of the walls, and erected a new wooden tower, between every two old ones. The town seemed impregnable; and although the Franks triumphed in every skirmish, the heavy stones hurled from the ramparts by powerful engines, rendered the approach of scaling ladders and battering machines, a task of peril, wellnigh amounting to impossibility; whilst skilfully managed fireships prevented assaults from the water, scaring away the Venetian fleet, and often involving it in dangers, averted only by the energy and experience of Venetian sailors. The Greeks, if charmed by the activity of their new Emperor, were angered by the rigour with which he imposed and levied taxes, to supply his empty exchequer. Hence, perhaps, his military measures were intermingled with attempts at negotiation. But the Crusaders, in real or pretended disbelief of the death of Alexius IV, demanded, besides the ratification of their treaty with him, his restoration; whilst Alexius V declared, that he would rather perish, or see his empire overwhelmed with calamities, than subject his Church to the Roman Pontiff. The evidently fruitless negotiation dropped.

The Crusaders now planned, as before, a combined attack by land and by sea, fixing it for Monday in Passion week, being the 12th of April, 1204. During the whole morning, the obstacles that had foiled previous, unconnected attempts, proved insuperable; but at noon, a strong north wind springing up, drove two ships, linked together, and auspiciously named the Paradise and the Pilgrim, against one of the projecting rampart towers; upon which, one to the right, the other to the left, they hung. Promptly were the landing bridges lowered; d'Urboise, a French Knight, and Alberti, a noble Venetian, rushed over, followed by their comrades, and had mastered the tower, expelling the Greek garrison, before the danger was observed. The sight of the crusading banner floating over its battlements, so excited the comrades of the victors, that other vessels rushed upon other towers, battering rams burst gates open; and despite all resistance, Franks and Venetians, knights and squires, sailors and archers poured in. The brave, if unprincipled, Murzuflos laboured in vain

to stem the torrent; neither Greeks nor mercenaries, could he rally to further struggle. So completely were they cowed, that, according to Greek authority,(25) a single Frank knight drove a thousand Constantinopolitans, like a flock of sheep, before him. Their Emperor, inextricably entangled amongst fugitives, was hurried along in their flight; and the Crusaders were masters of a portion of the city; the larger part, Alexius V, still unsubdued, held against them.

He, as soon as he could extricate himself from the mass, rode about the unconquered districts, endeavouring to rouse the people to defend their homes, whilst he organized an attack upon the small body of invaders, established within the walls. A report of his movements reached the leaders of the Crusaders; and, anticipating a tedious struggle, they assembled to deliberate upon the means of maintaining their position, against the superior numbers of the enemy, now guided by an able and energetic Emperor; when a fire, kindled by the Lombard corps as a protection from nocturnal attack,(26) produced in the Constantinopolitans, an intensity of terror and confusion, that, baffling all the efforts of Alexius V, ultimately infected himself. Returning to the Boukoleon palace, he got on board a sloop with his affianced bride and her mother—the daughter and wife of Alexius III, left behind when he fled—and with them, in his turn, abandoned the contest.

At daybreak his desertion became known to Greeks and Latins, very differently affecting the two races. The occurrence of the political crisis in which the former delighted—to wit, the opportunity of electing a new emperor—apparently obliterated all thoughts of their victorious besiegers; and they were forthwith absorbed in questions, which existing circumstances were about to answer, very independently of their will. These questions were; first, whether to confer the imperial dignity upon Theodore Lascaris or Theodore Ducas; and, second, the amount of the presents, to be demanded from the emperor they should elect. Their choice fell upon the gallant Lascaris, who accepted the office, exhorting his new subjects and army to fight stoutly and expel the barbarians. But the electors wanted presents; the army refused to

fight without receiving the arrears of their pay; and Theodore had no money for either purpose. In the heat of a rather angry discussion, the Crusaders surprised, attacked, and scattered the electors in all directions, putting a third emperor to flight. They were now lords of Constantinople.(27)

The triumphant leaders of the Crusade issued the most stringent orders, against the outrages usually perpetrated in towns taken by force; especially denouncing pain of death, against whoever should offer violence to a woman or secrete booty. From this last offence, indeed, the secretion of booty, the whole army had been previously required to swear forbearance, when the bishops prospectively excommunicated the perjured. Yet not only the wives and daughters of the inhabitants, nuns dedicated to Heaven, suffered under the brutality of intoxicated soldiers; the only women treated with decent respect, being the two Empresses, sisters of the Kings of France and Hungary, Agnes, the bride of Alexius II, married by force to his murderer, Andronicus, and Magaret, the recent widow of Isaac Angelus. These royal ladies the Marquess of Montferrat found and protected in the Boukoleon palace. The troops added mockery to violence. As if to prove that the heresy of the schismatic Greeks justified their hostility, the conquerors wantonly insulted the clergy, and profaned the churches. They arrayed themselves in the garments in which Greek ecclesiastics performed the rites of their religion, thus to parade the streets, indulging in the grossest excesses. They flung upon the ground and spurned the consecrated host, carrying off the jewelled pix; they broke and destroyed the beautiful and costly decorations of the altars, goldsmith's work and embroidery, to divide the valuable materials amongst themselves; whilst the most shameless of the female camp-followers danced, and sang indecent songs, on the Patriarch's throne.

It is wellnigh superfluous to add, that the oath and prospective excommunication did not secure more observance to the prohibition of secreting booty, than was paid to the other. It was transgressed even by men from whom better conduct might have been expected;—a knight of

the Comte de St. Pol's was hanged, with his shield about his neck, for such secretion of booty. Yet such was the wealth of Constantinople, that the amount honestly deposited in the three churches, selected as its receptacles, was estimated at 400,000 marks, about a million sterling, or equal to thrice the annual revenue of the wealthiest kingdom of those days. And this was independently of some 10,000 horses, of cattle, and of provisions. The mass was equally divided between the Crusaders and the Venetians; when the former, out of their allotted half, paid their remaining debt to Venice. Then, each share was distributed through each army, rateably, in proportion to men's rank and position.

Next to gold, silver, and jewels, in Frank estimation, stood the relics which many Constantinopolitan churches boasted; and not a few of these were appropriated by princely Crusaders, bent upon therewith hallowing, each his own churches. A large proportion of the memorials of Saints and Martyrs, in which divers German and Low-Country churches still glory, are the unholy produce of the plunder of the East-Roman metropolis. Such was the anxiety to secure these sacred treasures, that when obtained, they were among the objects most sedulously concealed, to avoid the irksome duty of sharing with others. Amongst those vanquished by such temptation, was the pious Abbot Martin, now again with the Crusaders. Having reached Palestine with Cardinal Pietro, he had been by him sent to the camp before Constantinople, where his portraiture of the Holy Land's distress, must, the Cardinal hoped, at last spur the Crusaders to its aid. But Martin had consented to wait until the murdered young Emperor was avenged. Being thus present at the sack of Constantinople, he possessed himself of all the relics of one church, which he carefully secreted, and with the help of some of his monks, smuggled on board his own vessel, therewith to sanctify his own[28] Alsatian abbey. If the holiest men thus broke their own law, defrauding their friends, can it be matter of wonder that rude warriors, to whose lawful portion no relics fell, sometimes sought to remedy their misfortune by means little consistent with their pious object. These relic-hunting adventures are so characteristic of the age,

that one must be here inserted, though occurring, perhaps weeks posterior to the division of the booty.

A knight named Dalmace de Sergy, deeply grieved that all his toils and sufferings, by sea and land, had not brought him to the Holy Sepulchre, earnestly supplicated God to inspire him with some means of serving the cause of religion, equivalent to the now hardly possible fulfilment of his vow. The idea of enriching the abbey of Clugny with relics occurred to him, and he consulted the Cardinal-Legate, who had now repaired to Constantinople. The Legate approved of the idea, provided the relics were not procured by purchase, which, as simony, would be sinful. The sin of simony, Sir Dalmace sedulously and successfully—if, to the lovers of common honesty somewhat startlingly—eschewed. Having fixed his desires upon the head of a Saint, bearing the name of Clement, he, in company with a crusader-monk of the Clugny order, visited the church, hallowed by this relic. Together they there performed their devotions, and then solicited a sight of the sacred treasure. It was exhibited, and whilst the Monk gazed as entranced, Sergy engaged the ecclesiastical exhibitor in conversation, drawing him, as if accidentally, to a little distance. The Monk, left alone with the coveted prize, tremblingly put forth his hand, and not venturing to purloin the whole head, piously broke off the under jaw. With this treasure safely concealed, he rejoined the Knight, and both hastened away.

"How didst thou manage?" asked the warrior of the churchman; who prefaced his answer with the remark, "I am highly gratified with the portion I have obtained;" when Sergy interrupted him with: "What! Portion? Hast thou not the whole head?" The Monk explained his fears of attempting too much, and showed the purloined jaw. The enraged Knight exclaimed: "That is nothing! Hie thee home, however, and secure what thou hast, whilst I see to make good thy default."

Sergy now, selecting another confederate, returned to the monastery, knocked at the door, and there asking received permission to seek for his gauntlet, which he must, he said, have dropped in the church. His companion amused the porter and monks at the gate, whilst he,

seeking his gauntlet, crept to the shrine behind the altar. There he found two Saints' heads, but recognising Saint Clement's by the deficient jaw, hid it under his cloak, and rejoined his friend, displaying the alleged lost gauntlet. They mounted, and rode off triumphant.

But not yet was his hallowed booty out of danger. The monks soon discovered their loss, and pursued the depredators with loud outcries. Sergy instantly transferred the head to his companion, who made off with it, whilst he, facing about, confronted his pursuers, and asked what they wanted with him. They taxed him with the theft; he asserted his innocence, and opening his cloak, showed that he had no hidden prize. The monks were foiled.

The Knight's only anxiety now was to be quite sure that he had got the right head; and this he ascertained by inquiries respecting relics, by sending divers friends to the church, some to ask for relics, others to request a sight of St. Clement's head. To all was the loss related and lamented; and Sir Dalmace de Sergy, well satisfied, set sail for France, presented the head to the mother abbey of Clugny, and dictated a narrative of his exploit, whence this detail is taken.(29)

The treasures of Hellenic art, in which Constantinople was then rich, had not similar attractions for the French and German crusaders; and many an inimitable bronze statue unfortunately falling to their share, was melted, and coined into copper money. The case seems to have been much the same with the Italians, the more civilized Venetians excepted; they better understood the value of these monuments of classical antiquity, and adorned their city with the celebrated bronze horses, of which Athens had been previously despoiled to decorate Constantinople; which, since carried by another plundering conqueror to Paris, were, finally, in proof of the triumph of justice and civilization, restored to St. Mark's cathedral. Pictures, from the extant remains of Byzantine graphic art, it may be presumed, were of inferior merit; and the only one seemingly much prized, is another reputed portrait of the Virgin, by St. Luke, transferred, like the horses, from St. Sophia to St. Mark's.

Books, even the Venetians seem not to have coveted, and many valuable libraries were destroyed, in the mere wantonness of ignorance. Many of the literary losses most regretted, whose recovery has been hitherto vainly hoped from Herculaneum, are quite as much due to our own rude European forefathers—to their sacking of the town, more even than to the fires connected with their besieging operations—as to Arabs or Turks. Nevertheless, the Latin capture of Constantinople cannot be deemed altogether without influence upon the classical progress of western Europe, since Philip Augustus immediately founded a Greek professorship in his Paris University; though with the merely political view, of qualifying his own subjects for holding office in the Greco-Latin empire. The speciality of the motive could not prevent the instruction thus afforded from promoting such studies.

To return to Passion week, 1204. The division of the booty had been the first care of the conquerors; the next, was the election of an emperor, to be followed by the allotment of the conquered territories, according to the partition-treaty. The Venetians named six nobles as electors; the French, Germans, and Lombards, comprehensively termed Franks, preferred ecclesiastics for the office, as more impartial, because individually incapable of the dignity; and selected the Bishops of Soissons, Troyes, Halberstadt, Acre, and Bethlehem, and the Lombard Abbot of Locedio. Upon the 9th of May, these twelve electors solemnly swore at the altar to chuse honestly, according to the best of their judgment; and for this purpose they assembled in Dandolo's palace. The Bishop of Halberstadt proposed(30) King Philip, both because his Queen, Irene, was the natural heir of her brother,(31) and because it was desirable to have, as one Pope, so one Emperor. Philip was rejected, either as being excommunicated, or as not having shared in the expedition; and the old blind hero, Dandolo, was proposed. To him the Venetians objected, because a Doge, who was likewise Emperor, and as such their suzerain, would be formidable to the liberties of their republic. His exclusion leaving Boniface of Montferrat, and Baldwin of Flanders and

Hainhault, the only possible candidates, the next step was to guard against the resentment of him, who should be disappointed of the imperial crown. To this end, each prince was required to swear, that he would, if, elected, grant the other the island of Candia, with all the Greek possessions in Asia; and would, if not elected, receive the grant thankfully and do vassal's service for it.

The next day, the Venetians protested against the election of the Marquess, who was already so disquieting a neighbour to the Republic, as well as to Lombardy, whilst the French and Germans naturally preferred a Fleming—whom both considered as a countryman—to an Italian. All twelve voices therefore concurred in favour of the generally admired Baldwin, a choice calculated to please the army. Baldwin was in the very prime of life, 31 years of age; his value for the laws of his country and his patronage of learning have been seen;(32) and he was equally distinguished for prowess in the field, as for piety, charity, justice, patience of contradiction, and austere morality. This last quality, indeed, he carried to a length, that might annoy those of the Crusaders, who did not esteem purity essential to piety, even when engaged in what they thought so especially the service of God—a Crusade. Not only did he preserve inviolate his own connubial fidelity to his absent wife—the fleet in which she followed him had gone to Palestine, thinking there to find him—he required similar chastity from all who approached him, causing proclamation to be made twice every week that none who had substituted a strange woman to his own wife, should pass the night in his palace.(33) Baldwin's election was joyously hailed by the expecting crowds, the Marquess expressing satisfaction even beyond the rest. The new Emperor was placed—reviving the old Frank custom—upon a shield, and carried in procession to church, for a general thanksgiving. Upon the 16th of May, he was ceremoniously crowned, in the reconsecrated Cathedral of St. Sophia.

This solemnity had been preceded by the wedding of Marchese Bonifazio with the Empress Margaret, the Hungarian widow of the Emperor Isaac, who had been dead about three months. It was followed by the dis-

tribution of principalities and fiefs, and the appointment to offices, spiritual and temporal. The Marquess desired to exchange the yet unsubdued island and Asiatic provinces — proposed as compensation to him who missed the empire — for Thesalonica, and some adjacent districts; where, from vicinity to Hungary, he thought his Magyar marriage would facilitate his maintaining himself. This district was constituted a kingdom for Boniface, who did homage for it to the Emperor, and proceeded to conquer, or rather to take possession of his kingdom. For it is to be observed that such alarm did the flight of the sovereign, and the sudden fall of the capital, spread throughout the empire, that scarcely was resistance thought of. King Boniface found himself at liberty to turn southward and augment his dominions by districts in the Morea, which he constituted dependencies of Thessalonica.

Dandolo was put in possession of the three eighths of Constantinople (which, strange to say, was divided like the empire), assigned to Venice, and he selected the three eighths of the empire, that, when subjugated, were to form the republic's share. In this selection, the Doge was governed by the commercial interest of Venice, and his consciousness that her strength lay in her navy. He pitched upon maritime provinces of the Morea, and upon islands, as Candia, Negropont, many of those in the Archipelago, the seven, now called the Ionian islands, and the like. The chief crusading leaders received grants of various principalities—possession being contingent upon their subjugation—as the Comte de Blois a duchy of Nicæa, Villehardouin himself ample domains, with the office of Marshal of the Empire of Constantinople, &c. &c. Great household officers, such as those who then constituted both the Court and the Cabinet of the monarchs of western Europe, were appointed, and some of those peculiar to the Constantinopolitan Court likewise. The Patriarch was by agreement, the Emperor being a Frank Crusader, to be a Venetian; and Tommaso Morosini, a personal friend of Innocent III, then sojourning in Rome, was, at Dandolo's recommendation, raised to this high ecclesiastical dignity.

The choice would, it was hoped, be agreeable to the Pope, to propitiate whom was the next object. Baldwin was no sooner elected than he invited Cardinal Pietro, the Legate originally appointed director of the Crusade, to leave the Holy Land for Constantinople, and there regulate the affairs of the Church. He as immediately accepted the invitation, bringing with him Cardinal Soffredo, then Legate in Palestine. Cardinal Pietro, forgetting his past anger at the Venetians, upon receiving a promise that they, with the Crusaders, would still perform the vowed Crusade, relieved them from the excommunication under which they lay. The Emperor and the Doge next addressed the Pope, setting forth in their letters, the hallowed motives that had, they averred, influenced their conduct. The chief of these were to effect a reconciliation of the Greek to the Latin Church; and to obtain permanent Greek succours for Palestine, besides temporary assistance in conquering Egypt. Their deviation from the original plan of operations, they ascribed to direct inspiration; alleging in proof, the manifest interposition of Heaven, rendering the usually obstructive season, winter, propitious to their arms, and the immense numerical superiority of the Greeks unavailing.(34) In evidence of their perfect docility to the Roman See, they submitted all the ecclesiastical arrangements of the Empire, entirely to His Holiness; and added magnificent gifts of altar-plate and jewellery, to their missives. These presents were captured on their way by the Genoese, in anger at their exclusion from the territorial acquisitions and commercial privileges of their Venetian rivals. Threats of excommunication for sacrilege, compelled the republican authorities of Genoa, however, to surrender the prize to its lawful owner.

Innocent had not suffered his intense desire for the reunion of the Greek with the Latin Church, to prevent him from decidedly condemning the expedition against Constantinople. He had, upon every occasion, strenuously exhorted the Crusaders, to forbear shedding the blood of Christians, even if schismatics, and proceed with their proper business. When he learned that, through their perseverance in neglecting their vow, Alexius IV

was upon the throne, he had, as strenuously, exhorted him, to repay the service done him, by fulfilling his engagements with the Crusaders and himself: but had not, therefore, allowed that success justified, or even excused, the conduct he censured, or ceased reproaching the Crusaders with their postponement, at least, of a crusader's duty, and insisting upon its immediate performance. But, when he further learned, that the schismatic Eastern Empire actually was divided, or in course of division, amongst Roman Catholic princes and states, actually was subjected to his spiritual authority, he was softened. He still did not admit the result, as an argument for the propriety of the Crusaders' conduct; but he allowed that the service they had rendered to religion, might be a plea for pardoning their transgressions, if expiated by present and future obedience; especially by their now prosecuting their voyage, and discharging their neglected duty, as Champions of the Cross.(35) Innocent cancelled the Legate's release of the Venetians from excommunication, as invalid, being unauthorized; ordered the clause in the partition-treaty, which, assigning a mere maintenance to the clergy, confiscated the large remainder of Church property, to be expunged; and annulled the appointment of a patriarch, because, neither could laymen regulate an ecclesiastical election, nor Venetian ecclesiastics act as Canons of St. Sophia, without express papal intervention. But, as usual, tempering rigour with conciliation, he himself relieved the Venetians from excommunication, upon condition of their early performing their vow—taken, it will be remembered, by Dandolo with a number of associates, though they have here been habitually distinguished from the original Crusaders, whom they had first undertaken to transport, then seduced from their purpose. In his own right, he nominated Morosini to the dignity of which he had momentarily deprived him, at once investing him with the ensigns of his sacred office. He thought that the Venetians, so they attained their end, to wit, making a compatriot patriarch, would care little for the manner of attainment. The Venetians did not, however, submit, as implicitly as the new Emperor and the crusading Princes, to these papal decrees. The

republican authorities commanded Morosini, before taking possession of his patriarchate, to visit Venice, and there pledge himself to confer the offices of archbishop, bishop, or canon of St. Sophia, upon none but Venetians, and to make every effort to insure the election of a compatriot, as his own successor. Morosini obeyed; Innocent immediately annulled his promise, as both compulsory, and contrary to the laws of the Church. Lastly, he ordered the formation of an entirely new scheme of ecclesiastical polity, adapted to the Constantinopolitan empire.

This was not the only organic change consequent upon the conquest; and all changes offended the superciliously arrogant Greeks. Baldwin and his brother princes naturally established the feudal system, the only one with which they were acquainted, throughout their new dominions; an innovation upon the political habits of the Greeks, materially exasperating and alienating them. Nor was the policy adopted by Venice towards her dependencies, more consonant to their inclinations; whilst the intensity of disgust with which they beheld a schismatic patriarch, Morosini, appointing Latin priests to benefices, was unallayed by his forbearance from displacing any Greek priests in possession. The growing aversion of the Greeks would not be soothed by the conduct of their unlettered lords, who revelled in a coarse luxury, to them revolting; and who, unimbued with such classical associations as might have awakened sympathy for even the degenerate offspring of the venerated Hellas, treated subjects, whom they saw destitute of the only quality they really valued, courage, with disdainful indifference. Dissatisfaction was general; but there was no leader to rouse it into action. The Greek princes, who should have acted as such, were merely striving to share the spoils; and the establishment of divers Greek principalities, precluded any attempt, on their part, to restore the Greek Empire, that must have absorbed their sovereignties.

In Asia Minor, Theodore Lascaris, of whom honourable mention has been made, possessed himself of Nicæa, there retaining the imperial title, given him at the moment of subjugation. He was accompanied by the fugitive Greek

Patriarch, and bore, in some sort, the character of the dethroned monarch's representative. Manuel Maurozomenes, supported by the Sultan of Iconium, to whose harem he had given his daughter as a wife, took the same imperial title in the immediate neighbourhood. A new Alexius Comnenus, grandson of the elder usurper, Andronicus, with the aid of some Frank knights, established a third Greek empire at Trebizond. And the conquerors of Constantinople were unequal to wresting any of these tiny states from their princes. In Europe, Theodore Branas, to whom the widow of that Andronicus, the French Princess Agnes, had given her hand, obtained through this marriage the goodwill of the French party, and, in process of time, a principality in Thrace. Michael Angelus, an illegitimate scion of the house of Angelus, was named Governor of Durazzo, and allowed, as much by the negligence as by the favour of the Crusaders, there to found a principality, including Epirus and great part of Thessaly. A small domain was designedly left to the fugitive usurper, Alexius III, in Thrace, where his son-in-law, Alexius V, joined him; and one Leo Sgouros, was contending with the King of Thessalonica, a younger Villehardouin, the Marshal's nephew, and the Venetians, for the Morea; where he got and kept Corinth and Nauplia, if not Argos.

To the apparent friendship of the two Alexiuses, the malcontents at first looked for a head. But their union speedily ended; the imperial father-in-law accusing his equally imperial, son-in-law, of rebellious intentions, thereupon imprisoned, and, as a matter of course, deprived him of sight. The insurrection failed ere it had well begun; and both Emperors fell, as insurgents, into the hands of Boniface. He sent the imperial insignia to Baldwin; and Alexius III to a prison in Montferrat, for safe custody. Thence, however, he effected his escape; reached Asia Minor, and plotted to dethrone his other son-in-law, Theodore Lascaris: he was again captured, and died in a Nicene prison. Alexius V, as a traitor to the Emperors Isaac and Alexius IV, was, by the Latin Barons, sentenced to be thrown from the lofty summit of the Constantinopolitan pillar of Theodosius: from which a popular

prophecy had long since announced that an East-Roman emperor would fall.

For this disappointment the Greeks found consolation in the feuds, that failed not to break out early amongst their conquerors, even betwixt those fast friends, the new Emperor and the new King. Boniface now claimed the empire for his step-son, Manuel, Empress Margaret's child by Isaac, and Baldwin was occupied in opposing him: whilst the head and stay, which the baffled, rather than vanquished Greeks, could nowhere at home find, they discovered in a neighbouring potentate, respecting whose power and position a few words will be necessary.

It may be remembered that Frederic Barbarossa, upon his road from Hungary to Constantinople, had much intercourse with two hereditary chiefs, named Peter and Azan, who would fain have transferred their allegiance from Isaac Angelus to him. After his passage, Bela III of Hungary, whether in concert with these chiefs or not, had conquered Bulgaria; then, tempted by the offer of an imperial crown for his daughter Margaret, given her in marriage to the Emperor Isaac, with Bulgaria for her portion, upon condition of being repaid the expenses of the conquest. Isaac's extravagance kept his treasury always low, and he tried to raise, in Bulgaria itself, the money due to Bela for its conquest and cession. The taxes imposed for this purpose exasperated the Bulgarians, and injudicious acts of indignity towards Peter and Azan supplied them with leaders. These two hereditary princely chiefs, were degraded to an inferior rank in the imperial army, and for some act of insubordination, Azan was flogged. They deserted, returned home, and employed superstition to raise an insurrection. They built a church, dedicated to St. Demetrius, the patron of Bulgaria, and, during the rites of consecration, propagated a rumour that the Saint was visibly hovering over the church; an apparition promising Bulgaria—which then seems to have included Walachia—independence, would they but break their Greek chains. The cry of "to arms," resounded; the chains were broken, and Peter was hailed as King. A period of war ensued; success fluctuated, and in the end, Peter and Azan were glad to make peace, giving their

younger brother, John, Johannitius, or Johannice,(36) as a hostage for its observance. The Greeks, admiring the beauty of the young barbarian, altered his name to Kalojohannes; which he appears to have adopted, albeit the compliment did not avail to detain him at the Byzantine court. Making his escape, he returned home, and when he was safe, his brothers renewed the war, during which Peter and Azan were murdered. Johannice succeeding, petitioned Innocent to receive him and his people into the Roman Catholic Church, sanction their independence, and confer the title of king upon himself. Innocent sent a priest to investigate the merits of the case, and ascertain the justice or injustice of the Bulgarian pretensions; his report being favourable, Johannice's requests were in this same year, 1204, granted.

The independent King of Bulgaria and Walachia, as the natural enemy of the Greek Emperors, had at once tendered his alliance and friendship to their conquerors. They, in the arrogance of triumph, replied that he must restore all the land he had torn from the East-Roman Empire before they could treat with him. The Bulgarian rejoined: "I am a Christian King, acknowledged such by the Pope; and I hold my crown and dominions more rightfully than you hold the Greek empire and the imperial crown." Deeming this sufficient declaration of war, he assembled an army and invaded the empire.

Baldwin, now reinforced by the arrival of his fleet from Syria, had employed his brother Henry, with a considerable body of troops in Asia Minor, not to attack the nascent Greek empires, but to reduce the yet untouched provinces to submission. He himself, having, through Dandolo's mediation, been reconciled to Boniface, upon the latter's abandoning young Manuel's claims, was engrossed by the Greek insurrection. Scornfully regardless of the words and movements of a barbarian, he and the Doge, in the month of April, 1205, were besieging Adrianople—which, relying upon Bulgarian support, had revolted—when Joannice's invasion of the empire was made known to them. Still the arrogant conquerors thought but of the insurgent city; when, suddenly, they saw themselves surrounded by Bulgarian and Walachian

hosts. Hastily the Emperor summoned his brother from Asia Minor to his aid; but long ere the Earl and his army could, by forced marches, reach the scene of action, the besieged besiegers were compelled to give battle. Notwithstanding the enormous disparity of numbers, the victory was obstinately contested; but, in the end, the Franks were totally defeated. The Earl of Blois was slain; the Emperor, in a gallant attempt to rescue him, taken prisoner, and then the rout was complete. Nothing short of the skill and courage of the blind old Doge, aided by Maréchal Villehardouin, could have rallied a body of troops, sufficient to cover the flight rather than retreat, of the Crusaders; thus saving the army from utter annihilation.

Soon after this disaster, Earl Henry, arriving, assumed the command of the Frank portion of the dispirited troops, with the provisional government of the empire. But he had done little towards remedying the misfortune, when he lost his able coadjutor; in the month of June, about six weeks after the calamitous defeat at Adrianople, Dandolo expired: and with him, apparently, all bonds of law and loyalty. The dissensions amongst the conquerors daily increased in virulence; their weakness was proportionate, and the empire of the captive monarch comprised little more than his portion of Constantinople, with Selybria and Rodosto. Johannice ravaged the northern European provinces unopposed, burning towns and villages; here, carrying off in chains, to lifelong slavery, those who had survived the sacking of their town; there, slaughtering, even torturing them to death, or, as at Varna, burying them alive. These horrors, however, were not without a compensatory effect, inasmuch as they drove the Roumeliotes to seek protection from their Latin masters, whose yoke they found less intolerable, than the friendship of their Bulgarian allies.

The fate of Baldwin is involved in mystery, but it should seem that he did not long survive his seizure. The Bulgarian monarch wrote to the Pope, that his imperial prisoner was attacked by a mortal disease, and so died. Contemporary chroniclers aver that, by Johannice's orders, he was mangled and murdered; which savage treatment,

one writer explains, by telling a story, akin to Joseph's adventure with Potiphar's wife, of Baldwin and the Queen of Bulgaria. Another report was, that his conqueror sold him as a slave; and that, long years afterwards, the charity of some European merchants, who were perfectly ignorant of his rank, ransomed him. What is certain is, that in the year 1225, an old man, calling himself the Earl and Emperor Baldwin, appeared in Flanders, told the last tale, and claimed Flanders and Hainault. The reigning Countess Joanna, daughter and heiress of Baldwin, was a baby in arms at the epoch of her father's departure, and could form no opinion as to his identity; the men of an older generation, allowed that the pretender bore a resemblance to Baldwin, and all malcontents professed belief in his story. The man was, however, arrested as an impostor, tried, convicted, and executed.

Whatever Baldwin's fate really were, his natural death was announced by the Bulgarian monarch to the Constantinopolitan authorities. The information was unhesitatingly believed, and in August, 1206, Earl Henry was elected Emperor, as successor to his lost brother. The new sovereign immediately lessened the internal discord, by asking the hand of a daughter of the King of Thessalonica; who, gladly assenting, summoned the Princess Agnes from Montferrat, to share the imperial throne. Innocent's admonitions having failed to restore peace between the neighbouring states, the war continued. Johannice himself died the following year, but without interrupting hostilities, which his successor, Voryllas, vigorously prosecuted. Henry had, however, by this time, in some measure called forth and organized his resources; whilst Innocent, now looking upon the Latin eastern empire as a real support for the kingdom of Jerusalem, granted crusading indulgences for service there. Henry defeated Voryllas, and made peace with him.

For the government of their small empire—too small, thus shared with Venice, really to stand—the first Latin Emperors adopted the constitution established by Godfrey and his brother Baldwin, in Palestine; save as they humoured the natives, by keeping a few of the Greek palace-officers, in addition to those customary in the kingdoms of Jerusalem

and of western Europe. The rare alterations from the ASSISES DE JERUSALEM, were, as might be anticipated from the relative position of the parties, in favour of the great vassals, who restricted the authority of the emperor within narrower limits than that of his Jerusalem prototype. Henry is reputed a man of enlarged mind, who sought to conciliate the conquered Greeks, by giving them public employments, and treating them as the equals of their conquerors. It was he who granted Adrianople and the adjacent districts to Theodore Branas; and at a later period of his life, having lost his Italian Empress, Agnes, he strove to conciliate his northern neighbours by marrying a Bulgarian princess.

Venice, still without *terra firma* dominions in Italy, and consequently deficient in the material of an army, soon perceived that her share of territory far exceeded her power to hold, much more to subjugate. She therefore granted it out, in vassal principalities, to such Venetian and other nobles—ay, even to wealthy Greeks—as would undertake to conquer their allotments for themselves. Hence arose the principalities of the Morea—where, however, the younger Villehardouin acquired Achaia—Gallipoli, Lemnos, Naxos, &c., &c.: and thus did the mercantile republic acquire a powerful and attached vassalage, bound by private and individual interests, to defend her sovereignty and her interests against all enemies. Their number, as years rolled on, rather augmented than diminished; the republic occasionally accepting a fief from an alien noble or princely debtor, in lieu of money; and many of the titles adorned her *Libro d'Oro*, until swallowed up in the Turkish conquests of the sixteenth century. The seaport towns which the Venetian authorities kept in their own hands, became, after a while, like the noble vassals, attached for their own sake to Venice; fought in her quarrels, and also to maintain their connexion with her. The Genoese made an attempt to share with her in the wreck of the Eastern Empire, but were quickly repulsed from the Venetian dependencies.

In settling the ecclesiastical concerns of this mighty acquisition, Innocent exhibited the discretion habitually tempering his ambition. Whilst he established the

supremacy of his own Legate over the Patriarch, and a right of appeal to Rome in all cases of importance, he secured to the existing Greek clergy, their property and their dignities, merely providing against the promotion to bishoprics or archbishoprics, of such as were not well disposed towards the Roman See. He refused to subject other eastern churches to his own Latin Patriarch of Constantinople; and postponed to a season of restored calm, the consideration of a doctrinal reunion of the Greek and Latin Churches.

And now the prospects of the Latin empire of Constantinople brightened. The wise moderation of the Pope relative to dogmas, and his justice in pecuniary concerns, if they could not quite disarm sectarian enmity, did much to conciliate the laity of the conquered nation. Yet more was accomplished in that direction, by the second Emperor's liberality towards his Greek subjects. Innocent's exhortations to all Christian Princes, to support the Latin empire in the East, and to all Christian knights, to take service under Henry, failed, indeed, to excite any enthusiasm in the cause; but pilgrims for Palestine, who purposed only to pass through, were often tempted to remain, by the evident facility of obtaining fiefs there by conquest; whilst the Venetians, who by this time seem to have nearly monopolized the conveyance of crusaders to the Holy Land, forcibly or dextrously landed many in their districts, there to acquire fiefs if they could. Thus, despite the dissensions of the Latin conquerors amongst themselves, and despite the strength and stability that the nascent Greek states were gaining, the Latin empire of Constantinople seemed from day to day more firmly established. Henry reigned tranquilly. Boniface of Montferrat, and Thessalonica, did not long outlive his colleagues, Baldwin and Dandolo, being either slain in an expedition against the Bulgarians, or taken in battle by them, A.D. 1207, and afterwards murdered. He bequeathed his Italian marquesate to his eldest son, whom he had left there, as his Lieutenant; his kingdom to an infant son that his Empress-Queen had borne him, named Demetrius.

Turning from the concerns of the East-Roman empire

to those of the Holy Land, it seems that, had the Crusaders, in 1202, proceeded to their destination, they, not improbably, might have achieved the conquest of Egypt, as proposed; thus effecting something far more beneficial to the kingdom of Jerusalem, than the capture of Constantinople. Notwithstanding some concentration of Moslem power, the moment was far from unfavourable. Malek-el-Adel was, indeed, adding to his dominions. Not content with the regency for his infant grand-nephew, he had deposed the minor and made himself Sultan of Egypt as well as of Damascus. But he was all the more embroiled with his kinsmen, and involved, moreover, through pecuniary straits, in considerable difficulties at home. Upon the first tidings that a crusade was projected, besides largely bribing the Venetians, as was very generally believed, to divert the tempest from his shores, he made great defensive preparations. These required money; and when his exchequer was drained, he called upon his Moslem priesthood to contribute, as in duty bound, towards the expenses of a war purely religious. They refused; whereupon he seized, what he calculated would have been their fair proportion of the tax; and thus irritated them to a degree that, if obliged to make head simultaneously against Moslem nephews and Christian foes, might have materially impeded his movements. But the Crusaders did not clutch opportunity by the forelock, and the favourable moment never returned.

Those divisions of the fourth Crusade, that, embarking at Marseilles or in Apulian ports, reached Syria, found the kingdom of Jerusalem enjoying the armistice with most of her Mohammedan neighbours. This repose, Amalric II was the more loth to disturb before the arrival of the main body, because the other Christian states were at war amongst themselves, and the two military Orders involved in their broils. Bohemund of Tripoli, with the help of the Templars and of a Moslem ally, the Sultan of Aleppo, still resisted the right of his elder brother's son, Rupin, to Antioch; which the young heir's maternal great-uncle, Leo of Armenia, supported by the Hospitalers, and sanctioned by the Patriarch, still vigorously asserted; even sequestrating the Armenian estates of the Templars in

resentment of their alliance with the usurper. So circumstanced, Amalric refused to break the truce with Malek-el-Adel, at the desire of a band of Crusaders utterly inadequate to carry out the original design, *i. e.*, the conquest of Egypt.

Next arrived the Cardinal-Legate, who came to await the main body of the Crusade, and resume, upon its arrrival, the authority, which Venetian intrigue had compelled him, momentarily, to suspend. He was followed, early in the spring, by the Countess of Flanders and Hainault with her division of the Crusade; fully hoping to find the Earl and the Marquess of Montferrat, employing the resources of conquered Egypt, for the recovery of Jerusalem. The first fruit of her arrival was an increase of dissension. One of her Flemish knights had, unluckily, married Richard Cœur de Lion's captive princess, the daughter of Isaac of Cyprus; and no sooner had he landed at Acre, than he laid claim to Amalric's own kingdom of Cyprus, in right of his royal and imperial wife. The King, not unnaturally enraged at such a pretension, ordered him instantly out of Palestine.(37) This his countrymen resented; and their wrath, combining with the dissatisfaction of the previously arrived Crusaders, produced a sort of explosion. Almost all of them, leaving Palestine to its fate, hastened northward, to take part in the war betwixt Christians. Upon the way to Antioch they were hospitably entertained at Laodicea, by Malek-el-Adel's Lieutenant, who warned them against entering the Aleppo territory, without previous negotiation; Sultan Daher being no party to the truce. They slighted the warning, and were, almost to a man, cut off or made prisoners.

Soon after this disaster, Abbot Guy and the de Montforts presented themselves, at the head of the steadfast opponents of Venetian manœuvring; a body so considerable, especially when joined by the remnant of the preceding arrivals, that at their entreaty, Amalric formally denounced the truce. Still their expeditions proved to be scarcely more than marauding incursions upon Moslem territories, which Malek-el-Adel was, just then, unable to repulse. Simon de Montfort now saw that, in Palestine, nothing material could be done, save by a powerful Crusade, such

as that of which he had hoped to form part: hostilities by anything less, being merely a provocation to Mohammedan neighbours, ruinous to the fragment of a kingdom left. Mortified, he returned to Europe; whilst his brother, Earl Guy, marrying the heiress of Sidon, remained in her principality.

Cardinal Pietro, meanwhile, found himself useless in Palestine, where, Cardinal Soffredo being Legate, he was nothing. Impatient of this position, and immovably determined not to give the Crusaders who had disowned his authority, a shadow of countenance in their transgression of the papal commands, by joining them before Constantinople—whence he summoned them through Abbot Martin—he looked around, for some means of rendering his casual sojourn there beneficial to the common cause. He saw that harmony amongst the Christians was actually indispensable, if Syro-Frank states were still to exist; and induced his brother Legate to join him, in mediating between the pretenders to the principality of Antioch. To reconcile their claims, or persuade either to give way to the other, proved impossible; but they did prevail upon both, again to submit their respective pretensions to the judgment of the Pope, pledging themselves to abstain from hostilities whilst awaiting his sentence. The two Legates then proceeded to Armenia where they invested the Katholicos with the promised pall, and solemnly sanctioned, by their legatine authority, the less official reception of the Armenian Church into the Papal fold, by the Archbishop of Mainz. Innocent commissioned the Abbots of Locedio and Mount Thabor, and two Frank Barons, to investigate, and report to him upon the Antioch question. Leo, who had offered 20,000 men for the service of Palestine, if his grand-nephew's right was confirmed, complained of the delay. Bohemund, on the contrary, strove to turn it to his advantage. He sought support, whether Greek or crusading, by doing homage, as a Greek vassal, for Antioch, to Baldwin's Empress, Maria, who was then preparing to embark at Acre, for Constantinople. He sought popularity with the native Syrians, by naming a Greek to supersede the Latin Patriarch of Antioch. The displaced prelate fled to Armenia; Leo—holding Bohemund's con-

duct a release from his pledge of forbearance—escorted him back, installing both him and Rupin in Antioch; he left them insufficiently guarded. Bohemund, surprising the city, seized both, and threw them into prison. The indignant Patriarch, from his dungeon, in which ere long he died, excommunicated the Earl of Tripoli. The investigation and report of the Papal Commissioners had been favourable to the elder brother's son, added to which, Innocent was now offended in the person of a high dignitary of the Church. He directed the Patriarch of Jerusalem, whom he invested with legatine authority for the purpose, to do justice, and punish Bohemund.

To augment the debility inseparable from such intestine contentions, Amalric II died, in April, 1205. He had been preceded to the tomb by Isabel, who, having lost an only son by Amalric, left four daughters. These were Maria Yolanthe, the fruit of her second marriage, with Conrad, Marquess of Montferrat and Prince of Tyre; Alicia of her third, with the Earl of Champagne; Sibylla and Melisenda of the fourth, with Amalric, King of Cyprus. Maria Yolanthe now inherited her mother's unenviable crown; and the new Queen being still a child, her uncle John of Ibelin, half brother of Isabel by her mother's second marriage, assumed the government, as regent for his minor niece.

CHAPTER X.

PHILIP—OTHO IV.

Pontifica—Papal Measures of Innocent III—In Church—In Spain—In France—In England—In Denmark—In Scandinavia—Creation of Livonian Bishopric—Of Prussian—Conduct in Poland—In Hungary—In Servia and Bulgaria. [1198—1213.

AMONGST the remarkable mediæval characters, whom it is one object of the present volumes to place before the British public, none was more widely influential, for good or for evil, upon his own times, none can still be more momentously interesting, alike to Protestant as to Romanist, to politician—he is called the founder of the Papal temporal sovereignty—as to psychologist, than Innocent III. To his exercise of that influence, and his endeavours to carry out his beautifully as loftily spiritual theory of the papal office,(38) our attention is now to be turned. And, as the discrepancies, ultimately apparent, between his opinions and his practice relative to heresy, at least to the heresy then prevalent in the south of France, are at once the result of that theory and the proof of its illusiveness, they must be reserved for the last: the present chapter being dedicated to the Pope's intercourse with temporal rulers. But his views of church discipline forming part of his theory of the papacy, whence his whole conduct emanated, with those views it will be best to begin.

Innocent's opinion of the absolute and entire supremacy of spiritual authority over temporal power, was, as before said, as complete as Gregory VII's, probably more so, as being more developed. He held it to be indisputable as that of mind over body, but, like that, to be inforced solely by spiritual means; a control analogous to a wise and revered father's over rash and inexperienced, inde-

pendent sons. Happy it might perhaps have been for his contemporaries, could such a parental control over violence and ambition have been practicable. But when did the merely moral control of a father, supply the place of bitter experience, with actually independent, headstrong sons? And could it have been efficient, who was to insure a succession of Innocent IIIs? The use made of the portion of authority he bequeathed to his successors, will appear even in these volumes. The power and authority, which Innocent so nicely and carefully discriminated from each other, his successors, imitating Gregory VII, grasped at as identical; thus seeking despotism over the whole Church, even more than over the laity. The consequence of Gregory's making the Pope all in all, and extinguishing intermediary, subordinate authorities, in order to render every relation direct with the Head, has been seen, in the relapse of the degraded prelacy, with some few memorable exceptions, into all the vices, the simony, violence, extortion, and other unclerical sins, that had, in time past, aroused the reforming zeal of Henry III, of Leo IX, and of Hildebrand himself.

Innocent, with a more enlarged horizon, saw and avoided this blunder. He, whilst he maintained his own absolute supremacy, sought to enhance the importance and respectability, internal as well as external, of the whole hierarchy, by leaving the regular business of church government entirely to the regular, intermediate authorities; thus providing all with duties, and the episcopal office, especially, with fitting and dignified occupation. He opposed all exemptions of monasteries from diocesan superintendence; and required from every bishop, the strict and uninterrupted discharge of his proper duties; the regular visitation of his diocese, and investigation of its condition, spiritual and temporal. He strove to rid the church quietly of objectionable prelates, by first denouncing certain offences and certain lines of conduct, even certain single actions, as incapacitating for the exercise of episcopal functions; amongst the last was named, witnessing an execution, probably as indicative of unapostolic hardness of heart, ill calculated to win the confidence of a flock. Next, by admonishing, and thus, as he hoped,

correcting, the faulty prelate; or, should he prove incorrigible, by inducing him to resign his see without public scandal. He drew as close as possible the connexion between the bishop and his diocese, which he deemed an indissoluble spiritual marriage; condemning abdication of a see to take the cowl, as the desertion of high duties; setting his face against the translation of bishops, even against the promotion of a bishop to an archbishopric, which, without express papal licence, he held inadmissible. So strict was he in these points, that his early and valued friend, the Bishop of Hildesheim, having been elected to the wealthier and more important see of Würzburg, he excommunicated him prospectively if within twenty days his new see were not resigned; and he deprived the archbishop who consecrated him, of the right to consecrate, the canons who had voted for him, of their suffrages at the next election. When appeased by the general submission, he, as an especial favour, permitted the Würzburg Chapter to re-elect his friend.

Not only did Innocent exercise, as unquestionably his, all the rights respecting the nomination of prelates which his predecessors had wrested from temporal sovereigns, he went farther; he objected to the Emperor's exercise even of those assured to him by the Calixtine Concordat, boldly averring, that no layman could, in any way, interfere in concerns of the Church. But these usurped rights he exercised wisely for the general interest, authoritatively recommending, whether for bishoprics or inferior preferment, only good, pious, sensible, and often learned men, always persons well acquainted with the language of the country in which he committed Christian souls to their guidance; save, indeed, when he was deluded by the false reports of prejudiced, negligent, or corrupt legates. But, if Innocent resolutely maintained every papal right and privilege, he so tempered or modified them, as has been seen with respect to church discipline and the Greek Church, as materially to allay the inconveniences they were calculated to produce. For instance; he was particularly rigid in the matter of marriage within the prohibited degrees of consanguinity; inflexibly refusing a dispensation, unless required by some great political

object, as in the case of Otho's nuptials with Philip's daughter; but he reduced the prohibited degrees, from seven, which they had originally been, to four.(39) In like manner, whilst he resolutely maintained the Church privilege of asylum, he imposed various restrictions upon the protection afforded, as guards against the abuse of a right, designed to secure life and limb to the sheltered criminal, but not exemption from punishment. By his regulations the Church was to surrender great criminals, merely stipulating for commutation of the capital punishment they had incurred; fugitive villeins, on the other hand, she did not give up, until a full pardon was granted them. In divers ways he tempered the power of priests over their flocks, whilst confirming their salutary influence; and repressed the malpractices that were becoming daily more prevalent. He strictly prohibited the making either indulgences or masses a source of profit. He ordered Saints and Martyrs to be revered, and invoked as mediators, not worshipped, worship being due to God alone. He pronounced penitence indispensable to the validity of absolution; and so far was he from allowing enjoined penance to be regarded, either as evil to be bought off, or as means of extorting money in the shape of commutation,(40) that he treated permission to do penance, as a favour to be solicited, and conditionally granted. So, for example, a Parisian usurer, being suddenly struck with the sinfulness of usury, and seeking means of expiation, was ordered by Innocent, in the first place, to announce by the public crier, his wish to refund, whatever he might have unlawfully taken from any one; and only the residue of his hoards, thus purified, was he permitted to employ in penitential expiation, *i. e.*, in works of charity. Innocent pronounced good works to be no substitute for faith, although indispensable to salvation; and compulsory sin, a nonentity. He reprobated the use of the Ordeal and Judicial Combat, as presumptuous calls upon God, for especial interposition.

The pleasure this Pope found in exercising his keen and dialectically-trained intellect in unravelling legal subtleties, he seems to have indulged in, till it became an actual passion for administering justice. It has

already been said, that thrice every week he presided in his consistory; and his superior excellence as a judge brought appeals from all parts of Europe to Rome, in numbers altogether unprecedented. But not only did he occupy himself with these appeals, and with causes of importance, he suffered his time to be frequently wasted upon points of casuistry and church discipline, upon questions touching church property and incidents of priests' lives, often frivolous, and yet oftener already decided in the DECRETALS. One instance of the strange cases brought before the consistory may be worth giving. A rich and childless dying man was asked by a monk, whether he would be a monk of his cloister, and answering "Yes," was forthwith clad in the uniform of the Order. In this garb he died, and the monastery claimed his possessions as those of one of the fraternity. A collateral heir opposed the claim, upon the ground that the deceased, when he took the vows, as of infirm mind, was incapable of any act. In proof of which allegation he stated, that, immediately subsequent to the dialogue reported by the monk, he himself had asked the dying man, "Wilt be an ass?" and had received in answer, as earnest a "Yes." Innocent—need it be said?—adjudged the heritage to the relations of the deceased.

In reviewing Innocent's conduct relative to sovereigns, it may be convenient to adopt a geographical, rather than chronological order, and begin with the western European peninsula. Here he had to deal, in the first place, with a case of wedlock within the prohibited degrees, contracted as a mean of reconciliation between Christian states, but without a papal dispensation. The marriage of the King of Leon to Berengaria, eldest daughter of the King of Castile, was the pledge of peace between the long-hostile monarchs, who were first cousins: and besides answering this political purpose, proved fruitful and happy. Had a dispensation been solicited when the idea occurred, there can be no doubt that any Pope, acting upon Innocent's avowed principles, would have granted it. But the nuptials having been celebrated in defiance of the canon law, Innocent, upon assuming the papacy, pronounced the union incestuous and sinful, therefore null; and its off-

spring illegitimate. He commanded the wedded pair to separate. Both kings resisted; the Castilian refused to give up the places he held in trust as his daughter's dower, the Leonese to sacrifice his domestic happiness and the rights of his children. Innocent excommunicated all parties: and when that failed to compel obedience, laid Leon under an interdict: Castile escaped this infliction, by the King's so far yielding, as to profess his readiness to take back his daughter. Alfonso now tried to negotiate, and alleviate the threatened evil, by making the recognition of his children's legitimacy the price of compliance: but Innocent would listen to no conditions, insisting upon implicit obedience. The struggle lasted until 1204, when the high-minded Berengaria, grieved by the distress and the immorality, consequent upon the privation of the rites of religion throughout the kingdom, sacrificed herself to the public good. She left the court of Leon, left her husband and her five children, and, retiring to her father's dominions, calmly exchanged the title of queen, for the ignominious designation of an unmarried mother. Innocent rewarded her submission, by freely granting what he had refused to her husband's diplomacy; he immediately pronounced her children legitimate. The Estates of Leon then prospectively swore allegiance to her eldest son, who afterwards, upon her only brother's death, permanently united Leon and Castile, and was canonized as Saint Ferdinand.

Two other royal marriages in the peninsula, within the prohibited degrees, and for which no such need existed, Innocent authoritatively prevented. One of these, occurring at a somewhat later period, was between Berengaria's brother, Henry I of Castile, and a Portuguese princess, to whom he was affianced, and who was already on her way to his court, as his bride; the other, between Pedro II of Aragon and Blanche of Navarre, both of whom were bound by oath to complete their engagement. In both cases the Pope's command was implicitly obeyed.

Pedro, upon this derangement of his matrimonial scheme, turned his thoughts to the aggrandizement of his dominions. He projected conquests from the Spanish Moors, but he was too small a potentate to attack them

single handed, and, for the moment, a peninsular confederacy against them was impracticable. He then conceived a strange idea, inspired perhaps by his devotion, great, after the fashion of an age that held devotion quite consistent with reckless profligacy and ambition. This idea was that he could raise the dignity, whilst insuring the safety of his kingdom, and even increase his royal authority, which the rights and privileges of nobles and municipalities mortifyingly fettered,(41) by holding his crown in vassalage of the Pope. To this end he set out for Rome, taking his way through the south of France. There he mediated a peace between his kinsman the Earl of Provence—the Earl of Barcelona who married the heiress of Provence had bequeathed her county to their younger son—and the hostile members of his family; and there he fell in love with Mary, only child and heiress of the Earl of Montpellier. The obstacles to the King's marriage with this lady, appeared to be at least as insuperable as those which had caused the rupture of his contract to Blanche of Navarre, Mary of Montpellier being the wife of the Earl of Comminges, and mother, by him, of two children. But her marriage would seem not to have been a happy one; both parties wished to break their matrimonial shackles—in order, he to be free, she to be a Queen—and a sufficient degree of consanguinity being made out, Innocent annulled the marriage. The King espoused the enfranchised heiress, and prosecuted his journey to Rome, with a greatly augmented train of vassals. He embarked at Marseilles for Genoa; whence five of the republic's galleys conveyed him and his suite to Ostia. Innocent, who well knew the purpose of his visit, and was prompt to encourage what coincided so happily with his own, of exalting the Roman See, had prepared an honourable reception for his royal guest. Two hundred saddle-horses, with suitable baggage-cattle and attendants, awaited the King of Aragon's landing; cardinals, with nobles headed by the Senator, went forth in procession to meet and escort him into Rome, as far as St. Peter's, where the Pope in person received him.

But if received in the grand Roman Basilica, not there was Pedro crowned; only emperors, or perhaps those

already esteemed vassals of St. Peter, being, apparently, so honoured. Upon the 11th of November, 1204, the Pope, attended by all the cardinals then in Rome, and by all his officers, ecclesiastic and lay, repaired to the church of San Pancrazio. There, in presence of the whole papal court, of the Roman nobility, and of as much of the Roman people as could crowd in, the Bishop of Porto annointed Pedro, King of Aragon; after which the Pope placed a crown upon his head, and gave him the various ensigns of royalty, enumerated as, the *colocium* (according to Ducange a tunic without sleeves), mantle, sceptre, globe, and mitre;(42) all of which, together with the crown, were the magnificent present of Innocent, as suzerain. Then the King thus pledged himself: "I, Pedro King of Aragon, promise and vow to be ever loyal and obedient to my Lord Pope Innocent, and his Catholic Christian successors in the Roman Church; to preserve my kingdom in fealty and obedience to them; to defend the Catholic faith, and extirpate heretical wickedness; to protect the rights and liberties of the Church, and to maintain peace and justice, in all lands subject to my authority. So help me God and his Holy Gospel!"

From the church of San Pancrazio the King, in his royal array, accompanied the Pope to the Basilica of St. Peter. There, in the presence of the same assembly, he laid aside his crown and sceptre, as surrendering his kingdom to the Prince of the Apostles; and the Pope, as successor and representative of St. Peter, by the delivery of a sword, restored it to him, as a fief of the Roman See. A picture in the Vatican, commemorates the transaction, as does a document, laid upon the altar by the King, in which he details his religious motives for this surrender, binds himself and his successors to pay a yearly tribute of 250 *massemutines* (a Moorish coin, oddly enough selected for a Christian King's tribute to the Pope); and renounces, for himself and successors, all right of interference in ecclesiastical elections. Innocent rewarded him, by promising to make one of his sisters Queen of Sicily.(43)

Upon his return home, Pedro found nobility and people alike indignant, at this degradation of their free and independent monarchy to tributary vassalage. The *Cortes*

of Aragon solemly protested against the transaction, and so little power did Aragonese monarchs possess, that this act, attributed to mistaken piety, was never deemed valid. Its only result was securing Innocent's personal good will and indulgence to Pedro; even inducing him to overlook subsequent deviations from his engagements relative to ecclesiastical elections, and his interference in behalf of his heresy- or heretic-tolerating, brother-in-law,—of which hereafter—though not to sanction his divorcing his Queen when tired of her.

In Portugal and Navarre, with the exception of the above-mentioned inadmissible matrimonial contracts, nothing had occurred to require especial papal intervention. But the former kingdom was indebted to Innocent for the decision of a long-standing contest between the Archbishops of Braga and of Compostella, for the primacy of Portugal. He decided, according to reason and justice, in favour of the Portuguese prelate; thus giving Portugal a national Primate.

In France, Innocent found the King in actual rebellion against papal authority. Celestin III had, as before said, required Philip II to prove his allegations of consanguinity between his deceased wife and Ingeborg, before he presumed to disown his second marriage. In utter disregard of which reasonable requisition, no proof of that which did not exist being offered, Ingeborg was still pining in a convent, and Philip had wedded the German Duke of Meran's daughter, Agnes, whose beauty fascinated him, and who was generally acknowledged as his Queen. Innocent, immediately after his election, despatched Cardinal Octavian, as Legate, to France, with instructions to insist upon the monarch's obeying the papal mandate, dismissing the highborn, deluded, and idolized Agnes, as a mere concubine, and taking back Ingeborg as his consort. By laying the kingdom under an interdict, the Legate excited such resentment against the sovereign whose conduct had provoked the sentence, that the powerful and self-willed Philip Augustus, deemed it expedient to submit, at least in appearance; and he adroitly averted the pronunciation of a more formally legal sentence, and of a formal yielding to the Pope's decision. He removed

from Philip of France, either the peaceable restitution of his unjust conquests, or even apologies for his inexcusable aggression; or from the heirs of Henry VI and Duke Leopold, the repayment of the illegally extorted ransom. With respect to the last, indeed, it is evident that Henry's brother Philip, had he been ever so willing, was in no position to refund money, which Henry had spent in the conquest of Sicily; the release of the hostage, was the utmost that really could be expected.

But the papal favour enjoyed by Richard, did not extend to sanctioning or overlooking royal interference with the rights, claimed by a member of the Church. He obliged him to reinstall his illegitimate brother Geoffrey, in the archbishopric of York, of which Longchamp had deprived him for turbulence. But neither would Innocent, steadily as he asserted the dignity of prelates, tolerate their oppression of inferior ecclesiastics. The Chapter of Canterbury Cathedral was one of those which had become actually monastic, and potent in unity of purpose; wherefore two successive archbishops had endeavoured to transfer its prescriptive right of election, to a new Chapter of Regular Augustinian Canons, which, in connexion with a new Cathedral, they proposed to found. Archbishop Baldwin had obtained the sanction of Urban III, and begun to build at Hackington; but the complaints and representations of the old Chapter shewing the Pope that he had been misled, he recalled his sanction, and obliged the prelate to destroy what he had erected. Baldwin began again at Lambeth, and had installed his new canons, when the Canterbury monks attacked the mass of building, violently expelled their rivals, and utterly demolished their dwellings. The Archbishop, favoured by the King, persevered; so did the monks, and Clement III confirmed Urban's last decision; but Celestin III, yielding to the solicitations of Baldwin's successor, Archbishop Hubert, revoked it. Upon Innocent's election the monks again appealed to Rome; the Pope ordered a careful inquiry into the case; and upon receiving the report, revoked Celestin's permission, ratifying the second decision that Urban, upon better information, had pronounced and Clement confirmed, in their favour. He ordered the

Archbishop to raze his new Lambeth Cathedral and Chapter-house, and by his firmness compelled obedience.

But Richard's qualities, good and bad, were not calculated to insure length of days; and with his death the scene changed. His end must be familiar to the English reader; yet characteristic as it is of the man and the age, and depreciated as is the Lion-heart by French and German writers, the inclination to relate it succinctly is irresistible.

Viscount Adhemar de Limoges, one of Richard's French vassals, having found a treasure, sent, as in duty bound, a portion thereof to his liege Lord. But Fame, with her multitudinous tongues, had magnified this store of hidden wealth into something so incredibly splendid as to excite the fancy. Images of an emperor and empress, with their sons and daughters, all large as life, of molten gold, seated in golden chairs round a golden table, were spoken of as a small part of the treasure. That this was exaggeration there cannot be a doubt, there may as to how much. At all events, such a description enkindled alike the imagination of the troubadour and the rapacity of the profuse and needy sovereign, still oppressed at every move by the burthen of his ransom. He demanded, if not the whole treasure, at least the golden imperial family; and when the Viscount refused compliance, besieged his strong castle of Chaluz, where the object of his desire was understood to be preserved. The Viscount being absent, the garrison offered to evacuate the castle if allowed to carry away their private property; but Richard, apprehensive of some plot for smuggling away the images, refused the permission, bidding them defend themselves, for he would take the castle, and hang them all.

Upon the 24th of March, 1199, Richard, heedless as usual of danger, approaching the castle unarmed, to examine its defences, was hit in the shoulder with an arrow. In the first attempt to draw the weapon out, the shaft broke, leaving the barbed head in the wound. The rage of the army was unbounded. Whilst the King was in the surgeons' hands, the castle was stormed and the whole garrison hanged, with the exception of the unluckily suc-

cessful archer, one Gourdon, who was reserved for more painful expiation of his feat.

The unskilful surgery of those days terribly mangled the shoulder in cutting out the arrow head. Richard's full habit of body, and total disregard of medical injunctions, naturally increased the inflammation consequent upon such treatment; and mortification ensued. When informed that there was no hope, he sent for the archer, and all anticipated the immediate infliction of the most frightful torments upon the prisoner, concluding that the dying King wished to enjoy the vengeance of his own death. These anticipations were confirmed by the words with which Richard received the dealer of the fatal wound, and which, it must be owned, sound unreasonable from a besieger, even if the suzerain, to one of the besieged. They were: "Scoundrel, what have I done to thee, that thou shouldst seek my life?" The unabashed archer replied: "You have slain my father, you have slain my two brothers, and would have hanged me. I am now in your hands; revenge yourself! I am content to suffer for having freed the world from a monster!" The frank boldness of the answer touched a responsive chord in the Lion-heart; and the dying King gave orders for the prisoner's instant release. But the loyal affection of the army, and of Mercade,—the leader of a company of Brabançons in his service,—for their hero, and consequent abhorrence of him who slew that hero, were too passionate for obedience to what was thought extravagant generosity. Gourdon was detained, and after Richard's death, hanged.

Meanwhile Richard, who during the last few years had, on account of his inveterate detestation of Philip Augustus, judged himself unworthy to take the sacrament, confessed to Abbot Milo, his almoner, and submitted to the penance enjoined him, nothing less than a scourging. Having thus expiated his sins, he was absolved, received the communion, and the last rites of the Roman Catholic Church were administered to him. He then gave directions touching both the affairs of the kingdom, and his own funeral, and on the 4th of April, expired, in the thirty-fourth year of his age.

That Innocent should entertain for the worthless John the same regard as for the lion-hearted Crusader, was impossible; but his desire to support Otho in Germany, and his dissatisfaction with the then still intractable, Philip Augustus, induced him, for a while, to look favourably upon the new King. John's usurpation of the kingdom, —the heritage of his elder brother Geoffrey's son Arthur, Duke of Britany, in right of his mother Constance,— passed uncensured, in virtue of the unsettled state of the law, respecting the relative claims of a younger brother and the son of an elder brother. His matrimonial delinquencies escaped punishment: his divorce of his first wife, Havoise, heiress of the Earls of Gloucester, upon the always ready plea of consanguinity, was confirmed; and he was permitted to expiate his violent abduction of Isabella, heiress of Angoulême, the affianced bride of the Comte de la Marche, by building a monastery, and equipping, and for a year maintaining, one hundred horsemen in the Holy Land. The Pope mediated peace between England and France, and endeavoured to insure the loyalty of John's French vassals, by menaces of excommunication and interdict in case of failure. He did not even alter this line of conduct upon the reported, though unproved, murder of Arthur, and the imprisonment of Elinor, Arthur's sister and natural heir. Still less was he likely so to do, when Philip Augustus took upon himself to pronounce all John's French dominions forfeited by his non-appearance before the Court of French Peers, summoned to inquire into the suspicious death of the young Duke of Britany. Even when the Pope's zeal in behalf of Otho, or against Philip of Swabia, cooled, another motive induced him to persevere in this course of lenity. Innocent was then endeavouring to organize a new crusade for the recovery of Jerusalem, in lieu of that which had been diverted to Constantinople; and to accomplish this, peace throughout Europe was he knew indispensable. Again, therefore, he proffered his mediation between France and England, which Philip Augustus haughtily rejected, observing that he was not accountable to his Holiness in his feudal relations with his vassals. Innocent calmly replied, that he claimed no authority in

feudal questions; it was with the crime alleged to have been committed, that he had to deal, the Christians not the Kings he had to judge. But notwithstanding the mild forbearance of this, perhaps somewhat Jesuitical answer, this new display of stubbornness in Philip—still sore at his inforced submission relative to Ingeborg,—would materially increase the Pope's bias towards England.

This bias John did his best to counteract. He broke the agreement, concluded through papal mediation and under papal sanction, with Richard's widow, Berengaria, touching her dower; withheld her allotted income, and left her so destitute, that the Queen-dowager of England was driven to seek food and shelter under the roof of her sister, the Countess of Champagne. He withheld the Peter's pence, paid ever since the Heptarchy, by England to Rome; he interfered with all ecclesiastical elections in a manner which, if only what the most devout Roman Catholic kings would now esteem their duty as well as their prerogative, was then generally held an invasion of Church privileges. And he oppressed the clergy high and low, even as he despoiled the proudest barons of their rights and possessions. As if bent upon alienating Innocent, when Philip, to avert the Legate's decision against him, appealed to the Pope in person, John neglected to depute any embassador to Rome, where French bishops were waiting for his representative, whilst Philip was completing his conquest of the English portion of France, and then, as the price of peace, demanded the hand of John's niece Elinor, the lawful heiress of England and nearly half France, for his son and heir. Still was Innocent lenient towards John; still did John more and more try that leniency. At last the cup overflowed. John violently expelled his illegitimate brother Geoffrey from the see of York; and, resisting papal intervention in episcopal elections, positively refused to admit, as Archbishop of Canterbury, Cardinal Stephen Langton, elected, at Innocent's authoritative recommendation, by the Monk-Canons of Canterbury, who were then in attendance at Rome, on account of preceding irregular elections, as such, disallowed by the Pope. This case, a double irregular election, was

one of those in which the Pope claimed the nomination; and Innocent's choice was, as usual, a good one.(47)

Innocent's patience was exhausted; and the murder of Philip of Germany, leaving his protegé in that country without a rival, annihilated John's strongest hold on his favour. Need the English reader be reminded how completely John had managed to change Innocent's kindly disposition towards him; had provoked not only the laying England under an interdict in 1209, but a papal sanction of Philip II's claiming the kingdom for his son Lewis, in virtue of Lewis's marriage with, not Elinor of Britany, but Blanche of Castile, daughter of John's younger sister, though his elder brother's daughter, Elinor, and his eldest sister's sons, Palsgrave Henry, Duke or Emperor Otho, and Duke William of Lünenberg, with a brother and elder sister of Blanche herself, stood before her in the line of succession? In fact, Innocent's warmest admirers must unite with the fiercest anti-Romanists in condemning his conduct in regard to England, his not only first supporting, but instigating the insurrection, caused by John's silly tyranny; then, when propitiated by the King's dastardly submission, and exaggeration of his father's acknowledgment of vassalage to the Holy See, withdrawing his authorization of Lewis's pretensions, and abandoning the insurgent barons to their fate. Philip regarded not the withdrawal, and Innocent died before the French pretender was expelled the kingdom.(48) The difficulty of imagining any such deception by legates as could justify or extenuate this conduct, generates the fear that even with Innocent III, the object, establishing papal supremacy, ultimately hallowed the means.

Proceeding northward, the Danish monarchs will be found enjoying the same degree of forbearance on the part of Innocent as John; for which they, like him, were indebted to their close connexion with the Welf prince, whose pretensions to the Empire Rome supported. The troubles that gave occasion for both his intervention and his forbearance were created by a turbulent, natural son of Canute V, named Waldemar. He had been educated for the Church, ordained, and made Bishop of Schleswick: but upon the death of Waldemar I, rebelled against his

cousin, Canute VI, claiming the crown as of the elder royal line. The Emperor, Henry VI, had favoured Waldemar's pretensions, thus, by troubles at home, to prevent Canute's supporting his father-in-law, Henry the Lion; and the Kings of Sweden and Norway, generally inimical to Denmark, had taken the same course. Ultimately, however, the rebel had been betrayed into the King's hands, and thrown into prison.

Innocent, at his accession, protested against the captivity of a prelate, whose offence, according to papal principles, ought to have been submitted to the Pope. But he protested in vain; and he continued to protest, remonstrate, and threaten, without proceeding to harsher measures against the brother-in-law and supporter of Otho. In 1203, Canute, dying childless, was succeeded by his brother, Waldemar II, to whom Innocent renewed his protestations and remonstrances; again in vain. Waldemar, like Canute, deemed the Bishop's freedom incompatible with his own safety, and the kingdom's peace. Still was Innocent forbearing.

In 1205, Waldemar, having lost his Welf consort, married Princess Margaret of Bohemia, whose beauty and goodness won her from the Danes the name of *Dagmar*, or *Dagmø*, —literally Day virgin, but intended to signify virgin like the Day—under which she was long celebrated in popular song, as the tutelary spirit of Denmark, and is said, even at the present day, to be so in primitive districts. Both the piety and the kindly feelings of Margaret were wounded, by the prolonged imprisonment of a prelate and a kinsman. She joined her entreaties to those of the clergy, in support of the Pope's remonstrances, and Waldemar could not say his beloved Day-Star nay. (49) He endeavoured to guard against the evils he foresaw, by arrangements with Innocent touching the Bishop's release. The Holy Father sent a priest to receive the prelate at the door of his prison, and—after obtaining from him, as the condition of his liberation, an oath to live quietly, and never visit Denmark, or any place whence he could endanger the tranquillity of the kingdom—conduct him safely to Rome. As a further security, the Pope solemnly denounced a prospective excommunication against the distrusted Bishop,

should he ever violate this oath. It was settled that his Danish diocese should, in his absence, be managed by the Archbishop of Lund, and his necessary expenses be defrayed out of its revenue. Bishop Waldemar took the oath required, quietly accompanied his appointed clerical guard to Rome, and, in obedience to the Pope's command, fixed his residence at Bologna. But there he found means to open a communication with King Philip, as the enemy of his enemies, and watched the course of events.

Early in 1208, the Archbishop of Bremen died. Bishop Waldemar had, during his first rebellion, been nominated to that archbishopric by Henry VI, who had deposed the prelate occupying the see for confederacy with the insurgent Duke of Brunswick, and saw the advantage of supplying his place with a rebel against the ally of his own revolted vassal; but neither deposal nor nomination had taken effect. Upon the Archbishop's death, however, the Bremen Chapter, whether in respect to that nomination, or in ill will to an often troublesome neighbour, the Danish monarch, elected the Bishop of Schleswick. But even this was not decisive. An internal feud, ever threatening to break out, had long been smouldering in the see. The two original metropolitan sees of Bremen and Hamburg had been joined, not amalgamated; and the latter, which as the older claimed superiority, being placed in a somewhat subordinate position, the Hamburg Chapter was in a constant state of irritation. Upon the present occasion, the Bremen Chapter had not delayed operations, even to communicate with the sister Chapter; which took fire, and, under the influence of King Waldemar, then master of Hamburg, both protested against the Bremen election, and elected an anti-archbishop, in the person of its Dean, Burkhard. The Bremen Canons despatched messengers to Bishop Waldemar, with the tidings of his election, whilst the Hamburgers and the King of Denmark appealed to the Pope, laying before him their protest against the Bremen act, and their counter-election.

It might be supposed, that the mere fact of Waldemar's translation from another see, would have determined Innocent to annul his election. But he seems to have been kindly disposed towards a prelate who had suffered lay

imprisonment. He deliberated with the College of Cardinals upon the validity or invalidity of the Bremen election, upon the compatibility or incompatibility of Bishop Waldemar's accepting the see, with his oath, and King Waldemar's safety. But whilst they deliberated the Archbishop-elect acted. Regardless alike of their decision, of his own oath, and of his contingent excommunication, he escaped from Bologna by night, and fled to Philip's court. At this juncture Philip was almost reconciled to Innocent, almost acknowledged by him; but he would not desert his brother's protegé. He wrote earnestly to the Pope on behalf of the fugitive prelate, whom he forwarded safely to Bremen. Archbishop Waldemar was well received there, and took possession of that half of the see, which, although the murderous sword of Otho of Wittelsbach soon deprived him of his protector, and the Pope pronounced that by his contumacy, he had forfeited his old, as well as his new see, whilst at Hamburg King Waldemar actively supported his rival, Archbishop Burkhard—with whom he was always at war—he managed to retain.

The interest that the yet ruder nations, lying further to the north, awoke in Innocent, greatly assisted to introduce them into the then scarcely more than nascent, European republic. Norway and Sweden, though each had an archbishop, had been jointly subjected to the government of the Archbishop of Lund, as a sort of Scandinavian patriarch. But he, engrossed by the concerns, spiritual and temporal, of Denmark, very imperfectly supplied to them the place of either an especial head or a legate; and no legate had visited them since Adrian IV, as Cardinal Nicolas Breakspear, was sent amongst them. In Sweden, though nominally Roman Catholic, though fully provided with ecclesiastics of all ranks, not only were the great body of the clergy, contrary to the discipline of the last 150 years, married, but the people still hankered after their old idolatry, neglected to have their children baptized, cared little for any church rites, and divorced their wives when tired of them. This was a state of things not to be tolerated by Innocent; but he saw the necessity of proceeding gently in the attempt to inforce

the observance of church discipline. In the first instance he merely directed the Archbishop of Lund to exert his authority and everywhere exact conformity to church law and ritual.

Nor did he neglect the opportunity there offering, for the interposition of spiritual control, in important temporal interests. The Kings of Sweden had, by law and custom, been for some generations taken alternately from two royal houses, known by the designations of Bonde and Swerker, respectively the Christian names of the first king of each line. In the year 1205, the Swerker, then reigning, charged the four sons of his Bonde predecessor with plotting against his life; upon which accusation three were executed. The fourth, Eric, escaping to Norway, declared the inculpation false; a calumnious device of the Swerker monarch, to keep the crown in his own family, by the death of all Bonde heirs. In 1208, Eric returned to Sweden, to head an insurrection of his friends, reinforced by malcontents; whom, according to report, the king's tyranny had alienated; and, although the Swerker was supported by his maternal relation, Waldemar of Denmark, they drove him and his creature, the Archbishop of Upsala, out of the country. The dethroned monarch appealed to the Pope, who sought information touching the merits of the case from the Danish king and prelacy. Whichever were really the aggressor, and the balance of probabilities is against the Swerker, the Danes answered that Waldemar's exiled kinsman was both the rightful king and the injured party; whereupon Innocent, naturally prejudiced against Eric by his expulsion of a prelate, ordered Sweden to invite the Swerker back, reinthrone him, and implore his pardon. The command was, of course, unheeded, and civil war raged. Two years later Eric defeated and slew his rival in battle, when, being rightful king, he propitiated Waldemar by asking his sister in marriage, and reigned in peace, recognised, upon due explanation, by the Pope.(50)

In Norway, a different mode of insuring civil war upon the death of every reigning monarch, had been adopted. Neither right of primogeniture, nor preference of legitimate over illegitimate sons, nor even—though daughters

were absolutely excluded—the right of son's sons before daughter's sons, being acknowledged, all the progeny of the deceased sovereign contended in arms for the crown. And licentiousness being often in rude, as in corruptly polished times, deemed a royal prerogative, the number of such pretenders was occasionally large. Late in the twefth century, upon the death of King Magnus, such a contest had occurred; when the list of competitors for the crown was unexpectedly increased by the appearance amongst them of one Swerrir, an ordained priest, the reputed son of a blacksmith. Swerrir, disowning his father to brand his mother with infamy, announced himself as the fruit of her adultery with a former king. But Sigurd, one of the sons of Magnus, proved an overmatch for this child of two fathers, and possessed himself of the throne. Swerrir, unvanquished, if defeated, sought to strengthen himself against the next contest, especially amongst a class called the *Birkbeiners*, from wearing bark sandals. He had not long to wait. Sigurd was accidentally drowned, and now Swerrir, triumphing, by the aid of his *Birkbeiners*, over fifteen competitors, was King.

But Eric, Archbishop of Drontheim, refused to crown the apostate priest; Swerrir attempted to reduce the wealth and power of his see, and the prelate fled, taking refuge with the Archbishop of Lund. Personally safe under his protection, he had appealed to Celestin III against the new king, whom he taxed with desertion from Holy Orders, and with bigamy. The Pope excommunicated Swerrir, who sent an embassy to Rome to vindicate his conduct, and his pretensions. The envoys are reported to have set out upon their return, accompanied by a Cardinal, as Legate, when the whole party died, poisoned, as Swerrir affirmed, by a priest, who had offered them hospitality. A Danish stranger brought Swerrir the papers of the mission, intrusted to him, he asserted, by the dying Envoy, as security for money he, the Dane, had lent him. From amongst these papers Swerrir produced one, that he styled a papal bull, revoking the excommunication and pronouncing him, Swerrir, rightful king, as the son of a king.

Swerrir now tyrannised uncontrolled, especially op-

pressing the clergy, and authorising every illegal act, by the production of a new papal bull; whilst Celestin interfered no further with Norway. But Innocent, upon his accession, if he did not precisely accuse Swerrir of murder and forgery, pronounced all the bulls he produced fictitious, the excommunication in force, and himself, the usurper, whether a smith's legitimate, or a king's illegitimate son, incapable of inheriting the crown, or, in the last case, of receiving Holy Orders. He armed the fugitive Archbishop of Drontheim with all his own spiritual weapons; he called upon the Kings of Denmark and Sweden to arm against the oppressor of the Church, and he exhorted the Norwegians to abandon a lawlessly intrusive tyrant. A bishop of the royal blood brought forward a son of King Magnus, as a rival to Swerrir, and again Norway was a prey to civil war until 1203, when Swerrir died. He had managed to secure the succession to his son, Hakon, whom, on his death-bed, he charged to redress all his sins against the Church; and, what is more remarkable than a dying sinner's wish to atone for his offences at the expense of his heir, Hakon, upon the throne, made every restitution enjoined him. The aged and now blind Archbishop Eric, was so charmed with the young King's conduct, that he hastened to relieve him from inherited excommunication. But in this the prelate exceeded the limits of his authority. Excommunication denounced by a Pope, could only by a Pope be revoked; and Innocent commanded the rash old man publicly to declare his revocation of the sentence invalid, and the King still under the anathema. He further commanded the sending an embassy to Rome, to testify that Hakon's conduct merited readmission into the Church, and to solicit, as a favour, such readmission. He was obeyed, and immediately granted the petition.

Innocent flattered himself that the honour of bringing Russia into the fold of the Roman Church was reserved for him. Alexander III had, indeed, failed in such an attempt; but the establishment of the Latin empire of Constantinople having given him sacerdotal possession of the head quarters of the Greek Church, he enjoyed, as he conceived, a great advantage over his predecessor. He

therefore addressed an epistle to the Russian prelates, in which he argued against their views of the dogmatic differences between the two Churches; and implored them to return to the true Faith. He sent a Cardinal as Legate to Moscow, now the sovereign principality, to inforce his arguments and exhortations.(51) But the Russians were immovably attached to the Greek ritual: rejecting all communion with the Latin Patriarch of Constantinople, they sought consecration of the former Constantinopolitan, now the Nicene Patriarch; and Innocent, like Alexander, was foiled.

But in the very provinces, that, now giving Russia almost the command of the Baltic, then hostilely severed her from its shore, an independent Roman Catholic power was growing up, which, besides originating in German zeal, afterwards became intimately connected with Germany, and had already attained consequence and stability that claim attention. The origin of this growing power must be sought some fifty years back. About the middle of the twelfth century a company of merchants, citizens of Bremen and other Saxon towns, seeking traffic with the Heathen Livonians, Esthonians, and Lithuanians, suffered shipwreck at the mouth of the Dwina. They had to defend their lives, as well as their property, against their intended customers, the adjacent Livonians. They defeated their assailants and then, establishing a good understanding, drove a profitable trade with them; for the future protection of which they built a fortress, the first rudiment of Riga. To this fortress-factory, in 1186,(52) a zealous and judicious monk, named Meinhard, accompanied a commercial expedition, in order to attempt the conversion of the natives. He built a chapel in the embryo town, and there remained, seemingly inactive, until he had acquired the Livonian language. When thus prepared, he applied to the Russian Prince Wladimir of Polotzk, who claimed, though he could seldom exercise, sovereignty over Livonia, for permission to preach.(53) It was granted, and so great was his success that the Archbishop of Bremen judged it sufficient to justify him in founding a bishopric of Riga, or Livonia, of which he consecrated Meinhard the first bishop. The new prelate dedicated his church to the

Virgin, placed the whole country under her protection, and continued his missionary labours, delegating to one of his ecclesiastics, the discharge of the same Christian duty in Esthonia.

But however satisfactory to Bishop Meinhard and his Metropolitan the success of his teaching, the bulk of the Livonians were still idolaters; and even amongst the neophytes, the faith of many rested more upon veneration for the teacher than upon comprehension of his doctrine. Under his successor, Berthold, many relapsed into idolatry. This second Bishop tried to bribe converts by a distribution of meat and drink to all proselytes; and creditable is it to the Livonians, that bribery proved no equivalent for Meinhard's virtues; the attempt failed. Bishop Berthold then had recourse to arms, to coerce these obstinate idolaters into receiving baptism, when the exasperated Heathen, in some measure countenanced, if not positively assisted, by the Russian Prince Wladimir, attacked his little flock of Germans and staunch converts. In the first instance they were evidently successful; but the Bishop placed himself at the head of the Christians, and repulsed the assailants. Berthold himself fell in the action.

The Archbishop of Bremen now appointed a Canon of his Cathedral, named Albert, Berthold's successor; and the Abbot of Loccum accompanied him to his see, for the purpose of visiting the obdurate Heathen, partly as a missionary, partly to ransom or otherwise obtain the release of their Christian prisoners. Bishop Albert maintained possession of Riga, of which he has been called the founder,(54) because he greatly enlarged it, changing the fortress-factory into a fortified city. But on his arrival he found the condition of his church so critical, that he applied to Innocent III for support; whilst he, at the same time, sought, by presents, to conciliate the Prince of Polotzk, without acknowledging any dependence upon him as vassal or tributary. Innocent committed the Livonian bishopric to the protection of King Waldemar, who thereupon despatched a fleet under Andreas, Archbishop of Lund, to Bishop Albert's assistance. The Pope felt this to be insufficient; and adopted for the support and advancement of Christianity upon the Baltic, a measure which

helped to foil the grand object of his pontificate, to wit, the recovery of Jerusalem; thus more than renewing a hazardous example, promptly followed, and, by some of his successors, abused to merely temporal and selfish ends. Eugenius III had suffered the Duke of Saxony to vary the locality of his crusade. (55) Innocent III almost invited Crusaders—who, having taken the Cross for the service of the Holy Land, found an expedition, necessarily so expensive, too heavy a burthen—to discharge their vow by serving the Christian cause nearer home. The permission was welcome to many classes of Crusaders. The indolent preferred an easier, the avaricious a cheaper, enterprise; the ambitious, one where conquests might be retained, without such an absence from all hereditary possessions, as risked their loss. Numbers flocked to Livonia, and this Crusade, the second avowing any less object than the recovery or the defence of the Holy Land, answered the intended purpose.

But Bishop Albert saw that this could only be a temporary or casual relief, whilst a permanent crusade, or an analogous army, was essential to the existence of his little flock. He therefore, with Innocent's approbation, founded a new Order of military monks, upon the model of the Templars, save that, in his great need of champions, he appears not to have excluded plebeians from its duties and its honours.(56) He designated them *Ensiferarum*, or Sword-bearers, (they were more commonly called Brothers of the Sword) signifying that the red cross upon their mantles was formed of two bloody swords; endowed them with one third of the revenue of his see, and became a member. Nobles and men of inferior condition entered the Order; it acquired strength, and the Sword-bearing Brothers preserved tranquillity in Livonia. By their victories over the heathen Esthonians and Lithuanians they protected the missionaries, who were labouring to diffuse Christianity along the eastern shores of the Baltic; and they were sometimes at war, sometimes in alliance, with the neighbouring schismatic Russians, whom Albert strove to win by presents such as his predecessor offered the Livonians.

A little further to the south, a new bishopric was not

long afterwards founded. In the very opening of the thirteenth century a monk of the Pomerelian monastery of Oliva, named Christian, distinguished alike for learning, piety, morality, and meekness, a native of Pomerania and familiar with the language of the neighbouring Heathen tribes, had undertaken a mission amongst the Prussians; who appear to have, already, made considerable progress in civilization. They are described as agricultural and commercial, acquainted with the use of letters, possessed of small towns and strong castles; and governed much after the manner of Highland clans, but with no supreme prince or king.(57) Christian's preaching was as successful as his peculiar fitness for the task promised. In proof of this success, and partly in compliment to his Prussian catechumens, he, in 1214, conducted two converted chiefs to Rome, to be presented to the Pope; and by him, in person, baptized. Innocent was so highly pleased with the zeal of the good monk, and with the discretion by which his success proved it to be guided, that he at once instituted a bishopric of, or rather in, Prussia, and conferred it upon Christian, as really its creator.

In Poland the sovereignty of the Grand-Duke, over his brother and cousin Dukes, had sunk to a mere name. They all ruled as independent princes; separately invaded and were invaded by the several Russian princes, their neighbours; and, through their disunion, were too weak to retain their authority over Pomerelia, or to obtain any in Prussia. The name of sovereignty was nevertheless still an object of ambition, though a cynic would, perhaps, attribute the traits of self-denial about to be recorded, as much to the real insignificance of the contested object, as to patriotism or conscientiousness. The sovereignty had, it may be remembered, been attached to the duchy of Cracow, and, notwithstanding the diminution of this duchy's power and consequence by the loss of Silesia, so remaining, was held by Lesco, Duke of Cracow. Vladislas, Duke of Great Poland, coveted this nominal sovereignty, and demanded its surrender; when Lesco, rather than shed Polish or kindred blood in civil war, or purchase a titular pre-eminence by the sacrifice of any of its, even nominal, rights, at once resigned it to him. But Vladislas,

when possessed of the object of his desire, was touched with remorse for the injustice of his conduct, restored the sovereignty to Lesco, and swore allegiance to him. In a spiritual point of view, Poland very much resembled Scandinavia. The clergy were very generally married; in Chapters, sons inherited their father's canonry, and church patronage, for the most part in lay hands, was by prince or noble used arbitrarily, with little regard to the fitness of those upon whom ecclesiastical offices and dignities were, it may be surmised, simoniacally, conferred; and who, or their heirs, were afterwards recklessly plundered. The higher clergy oppressed the inferior, who, on their part, revolted against the higher. Henry, Archbishop of Gnesen, an able and pious man, attempted to correct some of these abuses; and the result may be anticipated. The clergy, supported by princes and nobles, rebelled against him; even the conscientious Duke Vladislas, to whose duchy Gnesen belongs, persecuted the reforming Metropolitan. Henry fled to Rome, and Innocent, from personal intercourse with him, became better acquainted with the state of the Polish Church than his predecessors or he himself had previously been. He addressed an epistolary remonstrance to Duke Vladislas, the Archbishop's persecutor, which, being in all material points just what a papal admonition should be, is curiously characteristic rather of the times than of the Pope, by opening with a play upon the words *Dux* and *seduco*, as untranslateable as puns usually are. He, moreover, invested the Polish Metropolitan with legatine authority, and, thus armed, sent him home to prosecute his reforms more potentially. These measures were so far successful, that Archbishop Henry did not again encounter persecution; but he made little progress in inforcing the discipline of the Roman Church, which could not, till long after his and Innocent's death, be said to be really established in Poland.

In Hungary, just prior to Innocent's election, one of the cases then thought to call for papal intervention, occurred. Bela III, after being stirred by the remonstrances of popes and crusading princes upon his indifference to the interests of Christendom in the East, to

take the Cross, and collecting funds to defray the expenses of a crusade, had died. His eldest son, Emmeric, was already crowned as his colleague and successor; and Bela, upon his deathbed, commanded his younger son, Andreas, to fulfil his crusading vow, Emmeric to give his brother the crusading funds provided. The heir more than obeyed his father; he gave Andreas not only the treasure specified, but the *bannat* of Croatia and the duchy of Dalmatia, which he had himself held as heir-apparent.

Andreas received all, and diligently equipped himself, professedly for the crusade to which he was pledged. But his ambition grudged his brother the rights of primogeniture, and it was against *him* that, in concert with Leopold of Austria, he employed the means, for which, to *him* he was indebted. In vain had Celestin III, interposing, exhorted Andreas to redeem his own and his father's plighted word, and set forward upon his crusade. In vain had Innocent more energetically inforced these exhortations. Andreas attacked his brother: civil war distracted Hungary; and Emmeric, whose filial duty had divested him of his father's hoards, in his pecuniary straits, was tempted to seize church treasures.

The Saxon colonists in Hungary, a considerable part of the population, adhered loyally to the rightful King; and a number of the Marians or Teutonic knights—now first appearing actively in Europe,—who chanced to be in Hungary or the adjacent states, joined him. He therefore took the field, at the head of, what was then esteemed, a considerable army. Andreas encountered him at the head of another; when, according to some of the old chroniclers,(58) a striking scene interrupted, if it did not end the contest. The two hosts confronted each other in battle array; but ere a blow was struck, the King, anxious to spare his people's blood, stepped forward, clad in the regal dalmatica, crown on head, and sceptre in hand. There he stood, alone between the hostile armies, audibly and solemnly asking:—"Where is the audacious rebel who will dare to stain his soul with his sovereign's blood?" And the rebel army, overawed by "the majesty that hedges in a king," and charmed by the frank, fearless demeanour of him to whom all had sworn allegiance, threw down

their arms. Andreas had no choice but submission, and Emmeric carried him off a prisoner. Critical modern writers substitute a more commonplace termination of the rebellion, asserting that a battle was fought, in which Andreas was defeated and taken. According to both accounts he was, soon afterwards, pardoned and liberated, as a reconciled friend. Emmeric was now master of Hungary, and free to chastise his meddling neighbour, the Duke of Austria.

Still Andreas did not proceed upon his Crusade, and, if not in open rebellion, was more than suspected of plotting his kind liberator's overthrow. Innocent, who eagerly as fondly hoped to see the recovery of Jerusalem gild and sanctify the dawn of his pontificate, was anxious to secure the Hungarian contingent to the Crusade then organizing; and employed the Archbishop of Mainz, as stated in the preceding volume, to mediate a sincere reconciliation between the brothers, and urge forward Andreas with his Crusaders: further, obliging Emmeric to atone for his seizure of church treasure. But when, as the result of his mission, both Emmeric and Andreas—who had previously only been acting for his dead father—had taken the Cross, the seizure of Zara, in 1202, naturally indisposed Emmeric to any cooperation with Crusaders who had just robbed him of a city; feelings with which Andreas sympathised. In the summer of 1203, upon the occurrence of some new grounds for mistrust, the King again imprisoned his brother; caused his own infant son, Ladislas, to be crowned as his colleague and successor; and petitioned the Holy Father to inforce upon the Hungarian clergy the duty of supporting the royal child, and the regents to whom he should commit that child, and the government of his kingdom, during his Crusade. Innocent approved and assented: but in the summer of 1204, when upon the point of starting for the Holy Land, Emmeric was seized with one of the many diseases, then deemed incurable, and had to prepare for death instead of the expedition insuring his salvation. He caused Ladislas to be again proclaimed King; he released Andreas; saw him take the oath of allegiance to the infant monarch, and then, with an unsuspicious credulousness resembling in-

fatuation, appointed him regent during the boy's minority. He ordered, as a substitute for the immediate performance of the accumulated crusading vows, which existing circumstances rendered hazardously inconvenient, the payment of two thirds of the sum he had provided to defray his own crusade, to the Templars, for the service of the Holy Land. In August, 1204, Emmeric died.

Innocent solemnly exhorted Andreas to discharge the duties of the guardianship he had undertaken faithfully, and obey his deceased brother's injunctions, touching the money destined for Palestine. But the ambition of Andreas was uncured by the checks it had endured. He was so evidently preparing to seize his nephew's crown, that the widowed Queen, Constance of Aragon, trembling for her child's life, carried off the baby King to Vienna. If she thus, perhaps, prevented the commission of a crime, she did not save her son. At Vienna a sudden illness ended his existence a few weeks after his father's death; and Andreas was lawfully King of Hungary.

He governed better than might have been anticipated from his antecedents, to adopt a convenient Gallicism, and though he long evaded the fulfilment of his crusading vow, managed to keep upon good terms with Innocent. He married Gertrude, sister to the Duke of Meran, and it was at his court that the Bishop of Bamberg sought refuge, when, guilty or innocent of complicity in the murder of Philip, he fled from his see upon its perpetration. A part of Transylvania being at this time so habitually ravaged by the Kumans, as to be nearly depopulated, Andreas offered to endow the Teutonic Order with the province, in vassalage, upon their undertaking its defence against these Tartars. The new Order gladly accepted the proposal, and a number of the knights repaired to their estate, which, under their protection, was speedily repeopled. The Church of Hungary during this period appears to have been so orderly and obedient, that what irregularities did occur, Innocent remedied through the national prelacy.

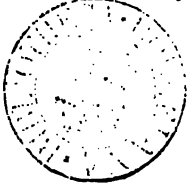
Servia and Bulgaria were, at Innocent's accession, really independent states, belonging to the Greek Church. Bosnia, on the other hand, though vassal to Servia, was

Roman Catholic. This last country is said, notwithstanding some troubles relative to heresy, which belong to the next chapter, to have enjoyed such prosperity during the long reign of *Ban* (the title of the Bosnian ruler) Kulin, that even to the present day his times are referred to, as the ideal of good government. In the dominant state, Servia, the Grand-*Shupan*, or *Zupan* (59) (the title of the Servian prince) Stephen, was at variance with his younger brother Vulcan; thus offering ambitious neighbours an opportunity for invasion, of which Andreas, whilst only Duke of Dalmatia and Croatia, failed not to avail himself. He first compelled Ban Kulin to transfer his vassal-allegiance from the Grand-Zupan to himself. Then he formed an alliance with Vulcan, whose principality he enlarged by a conquest from Stephen; and Vulcan, most likely in order thus to secure Hungarian support, professed a desire to exchange the Greek for the Latin ritual. Stephen, to guard against such consequences from his brother's conversion, professing a similar desire, at once solicited of the Pope, admission into the pale of the Roman Catholic Church, and the title of king. The latter part of this petition was opposed by Emmeric, and Innocent hesitated. But in the year 1202, Emmeric, whether offended by Stephen, or tempted by his own ambition, listened to Vulcan's offers, suddenly invaded Servia, expelled the elder brother, and installed the younger Grand-Zupan in his stead; but as a Hungarian vassal. He then, withdrawing his opposition to the regal title, requested the Pope to confer it upon Vulcan; which, not a little to the surprise of his admirers, Innocent did. It must, however, be recollected before condemning him, that the whole transaction, the brothers' quarrel included, is very imperfectly known; that Stephen may, possibly, have deserved his fate; and that, in the Pope's eyes, Vulcan had the great merit of being the first Servian convert from the Greek Church. The Servian clergy appear to have readily followed the example of their Grand-Zupan, and the Church of Servia, including the Bosnian, was subjected to the Hungarian Archbishop of Koloczk.

Innocent, at his accession to St. Peter's Chair, received the similar request and offer of the Bulgarian chief, Johan-

nice,—who, oddly enough, while soliciting regal dignity, entitles himself Imperator(60)—and felt the value of Bulgarian friendship and cooperation to crusaders proceeding by land. But neither this consideration, nor that of reuniting schismatics to the Church, induced him rashly to sanction apparent revolt. He ordered the Roman archives to be searched, to ascertain whether Bulgaria ever had formed an independent Christian state, so as to be justified in rising against conquerors. He sent a priest, seemingly John of Matha, the charitable founder of the Trinitarians, into the country, to investigate the religious opinions and political condition of prince and people. Upon receiving satisfactory assurances, whether true or false, as to all these points, he pronounced Johannice, King of Bulgaria and Walachia;(61) and, appointing Cardinal Leo della Santa Croce, Legate, sent him to crown the new monarch and regulate the affairs of the reconciled Church.

But Emmeric of Hungary, disliking such a multiplication of kings, and being upon indifferent terms with the new candidate for royalty, would not, until he received the Pope's reply to his remonstrances, suffer Cardinal Leo to cross the Hungarian frontier into Bulgaria. Innocent was firm to a resolution deliberately adopted; and the now dying King well knew the importance of the Pope's protecting friendship to his infant heir. He gave way; and one of the last acts of his life was granting the Cardinal permission to prosecute his journey. In September 1204, the Legate reached Ternovo in the Balkan, the fortified capital of Bulgaria, bringing with him crown and sceptre for the new King, and palls for the Archbishops of Ternovo and Zagora. He anointed and crowned Johannice; appointed the first of the two metropolitans, primate of Bulgaria and Walachia, and gave strict injunctions touching the observance of the discipline of the Latin Church, and the maintenance of peace with the Latin empire of Constantinople as well as with Hungary. How well the last injunction was obeyed has been seen.



CHAPTER XI.

Heresy in Western Europe—Variety of Doctrines—Innocent's plan of Repression—Purification of Clergy—Zealous Teaching—St. Dominic—Murder of Castelnau—Consequences—Submission of the Earl of Toulouse. [1198—1208

THE first war avowedly waged for the extirpation of heresy, was only beginning at the epoch at which the necessity for continuous attention to German interests ceasing, afforded leisure to bring the history of the rest of the Holy Roman Empire, the Sicilies, the Papacy, and the Crusades down to the same point. Hence, the atrocities and horrors characterizing it, were contemporary rather with the incidents to be, than with those that have been narrated. But Innocent's struggle against heresy began with his pontificate; but the gradual development of fanaticism into guilty ambition, resolute and active, by which Innocent was deluded or driven into measures most contradictory to his avowed principles, preceded the epoch in question, and may, therefore, naturally find their place here. Indeed, Innocent's part throughout the transaction, painfully connects itself with the last chapter, as illustrating the utter impracticability of his theory of the duties and the rights of the Papacy. The Crusade against the Albigenses, even independently of the mode in which it was conducted, is the most startlingly extraordinary result, from the tolerant principles of St. Bernard, avowed his by Innocent, that the most vehement antagonist of Romanism, or the bitterest lampooner of human nature, could desire.

The dissensions in, and with, the Church, which have

formed so material a portion of this history from its very commencement, had, it may be observed, no reference to the doctrines she inculcated. Not that amongst the learned schoolmen of mediæval Europe there ever wanted subtle dialecticians, who advanced objections to specific dogmas, and interpreted texts of Scripture differently from the received sense:—instances have been mentioned. Such heresies were the natural fruit of the abstruse speculations of scholasticism, and the cause of St. Bernard's aversion to the science. But these metaphysical heretics were either recluse students, whose tenets, in days when the printing press was unknown, gained little notoriety, or College Professors, like Abelard, who, whilst suffered to teach heterodox opinions, might gather a school of disciples. But few if any of these thinkers were gifted with the impetuous temperament, or even with the passion for their theological innovations, impelling men to brave the Powers that be, in pursuit almost of martyrdom; and such men only are founders of sects. Abelard, it has been seen, submitted, as a matter of course, to the papal censure of his innovations; and so did most of those who really entertained opinions esteemed heretical; whilst the less yielding Arnold of Brescia, as has also been seen, was more of a political demagogue than of a heresiarch. That the submission was often hypocritical there can be no doubt; Aimery de Bene renounced his peculiar opinions so clearly unconvinced, that his death, within a year from his palinode, is ascribed to shame and remorse; and Berenger, who in the eleventh century denied the dogma of Transubstantiation, recanted, revoked his recantation, and recanted anew, according as he was or was not, under immediate fear of the pope. The hypocrisy of such conduct was better security against success in revolutionizing religious opinion, than persecution armed with fire and faggot. If some of the more persevering heretics,—who in the eleventh and twelfth centuries were occasionally scourged, branded, and outlawed in various parts of Europe, simply destroyed by privation of food and shelter—said to have been the fate of some thirty in England under Henry II—or even burnt, as in a few places has been seen—objected to

some points of the Roman Catholic ritual, were, generally speaking, like Arnold of Brescia and the Monk Henri, rather disciplinarian Reformers than Heresiarchs; the bulk little more than declaimers against the wealth, power, luxury, and vices of ecclesiastics.

In the East, on the other hand, a variety of religious opinions upon points of doctrine, such as the origin of evil, the union of the divine and human natures in Christ, and others, similarly inscrutable to finite intellect, have existed, even from the days of the Apostles. Most of these heresies had died away; but many, as Manicheanism, Gnosticism, Nestorianism, Paulicianism, an offspring of Manicheanism though disowning its parentage, to name no more, all differing from each other as well as from the three established Churches, *i. e.*, the Latin, the Greek, and the Armenian, survived; and the last-named, Paulicianism, is generally considered as the parent of those European heresies that are to form the subject of the present chapter—the majority being Manichean in principle.

Paulicianism appears to have been first introduced into Europe by palmers returning from the Holy Land, since mention occurs even prior to the first Crusade, of Paulician doctrines at Milan. Their teachers called themselves *Kathari*, from the Greek word καθαρος (pure), to express the superior purity of their creed to that of the Roman Church, corrupted, they averred, by Pope Sylvester, the Anti-Christ. The orthodox Roman Catholics gave them the name of *Patareni*, the etymological meaning of which, after long puzzling the learned—who could but guess whether it were self-assumed or hostilely imposed, laudatory, or vituperative—has lately been referred to *paté*, a word of the Milanese dialect signifying crooked or hump-backed.(62) From Lombardy, the doctrines of the Katharists or Patarenes—the Anglicized forms of their names—are said to have been introduced into the south of France by a female proselyte. Either thence, or through Switzerland —where Arnold of Brescia had left disciples, and an anti-papal tendency—they spread into Germany, and in the Netherlands acquired the new name of *Poplicians*, supposed to have been a corruption of Paulicians, whilst in the

North of France they were designated as *Tisserands*, probably from the tenets becoming especially popular amongst weavers.

But nowhere, as yet, were Katharists so numerous as to form a body that could alarm, or much attract the notice of the established Church. So decidedly did no spirit of martyrdom animate these early dissenters, that it is hard to conceive how their doctrines acquired disciples, how they grew into a sect. Far from avowing themselves seceders, they professed implicit belief in every article of the Roman faith, propagating their doctrines under the seal of secrecy, and seeking safety in obscurity, even in equivocation and subterfuge. Of this, the expedient resorted to by the Katharists of Troyes to avert all suspicion of heresy from their heads, will be a sufficient instance. They gave two old women of their faith the names of Sancta Ecclesia and Sancta Maria, and then with untroubled conscience answered: *Ego credo quidquid credit Sancta Ecclesia et Sancta Maria.*(63) An actual luxuriating in equivocation, since to believe with Holy Church would have amply sufficed; and the most devout worshippers of the Blessed Virgin, are not conceived to have sought the standard of orthodoxy in her opinions, or indeed to know what they were. So successful was this dissimulation, that a heretical Milanese teacher had nearly been canonized by the Pope.(64)

During the whole of the twelfth century the taste for scholasticism was upon the increase, and with it, the turn of thought that induces subjecting even religious doctrines to logical investigation.(65) Nevertheless, the progress of Katharism and the birth of new heresies were still shrouded in mystery; and only when, Paulicianism streamed in direct from the East—by means, it may be surmised, of returned crusaders—the emboldened anti-papists avowed their revolt from the established Church, was her attention awakened. But the importers of Paulicianism into western Europe appear to have brought it, not from Asia, from an intermediate country, where metaphysical subtleties might least have been expected, *viz.*, from Bulgaria. So numerous there, were the believers in these doctrines, that they were noticed by

the Greeks, and named *Bogomiloi* from the Bulgarian, *i. e.*, Slavonian, words *Bog* (God), and *miloi* (have mercy), which they habitually ejaculated, in conversation as well as in prayer.(66) So decidedly was Bulgaria then esteemed the head quarters of this heresy, that, as no religion could be conceived without a Head, contemporary Roman Catholic writers assert that the Pope of the Albigenses (when this name was given to the heretics collectively), entitled *Nequintor*—whether that were name or title—resided in Bulgaria;(67) whence, in 1167, he visited the South of France to consecrate Katharist bishops, and preside over a Katharist Synod, whilst the Archbishops of Lyons and Narbonne, and the Bishop of Nevers were burning his co-religionists.

When attention was thus drawn to the possibility of an impending schism, Paulicianism, or Katharism, was by no means the only heresy threatening. Numerous sects now arose, of few of which, except the Waldenses or Poor of Lyons, have the names been preserved; for, although the Lateran Council of 1179 specified the condemned heretics as Katharists, Paterenes, and Publicans, and one nearly contemporaneous chronicler speaks of many sects, the orthodox in general scorned to discriminate between errors. To them a heretic was a heretic, and the collective name of *Albigeois*, or Albigenses was given to all French heretics, either because they abounded in the vicinity of Albi, or because a Synod held by command of Alexander III, to inquire into and put down erroneous opinions, sat there.

Of the tenets of the Albigenses little is known, save through their Roman Catholic adversaries, and through deserters from their faith, always the bitterest of adversaries; hence, what is told must be received with caution, as fraught with exaggeration.(68) Still enough is really known to refute the error of those who, in their Protestant zeal, regard all anti-papists as wise and virtuous precursors of the great Reformers. Another difficulty arises from the confusion produced by imputing to all what is true of some. Under this category falls licentiousness, which, with respect to the Albigenses in general, might boldly be rejected, as analogous to that imputed by

Pagans to the early Christians, whilst some sects almost confessed it. So are there tenets which, as contradicting each other, evidently could not be entertained by one and the same sect. To assign to each sect its proper name and opinions, or even to join each opinion with its associated opinions without giving them a name, were, if at this distance of time feasible, the business of Church History. But the variety of the opinions, strangely massed as co-existent, constitutes so important a feature of the character of the age, so elucidates the horror inspired by heretics, which eventually gave birth to the tribunal of the Inquisition, that these often astounding tenets, must in some measure be developed, and if possible, classified.

In abhorrence of the Pope, his ritual, his hierarchy, and his authority, all these sects agreed, and, perhaps, in the rejection of transubstantiation, purgatory, auricular confession, and the like. But here, at furthest, unanimity ends. The answer, said to have been given by a converted heretic to Archbishop Arnold of Cologne—"Whatever the Church believes and does, the heretics hold to be false and useless,"—must be received, if true, simply as the extravagant caricature of a renegade; and, even so, applicable only to the particular sect or subdivision of sect that he had deserted. One other point of rather general agreement, indicating a common Paulician origin, was the Manichean doctrine of two antagonist principles; but even in this dogma begins the diversity. Whilst some sects ascribed to the Evil Principle, or Satan, only the evil existing in the world; others, seemingly the majority, held him to be the Creator of the material universe itself; denying any share in so worthless a work to the Good Principle, or God: others included the Angels in the Satanic creation, and finally, some actually identified Christ as the Creator, δημιουργος, with Satan.

From the dogma, of the worthlessness of the material universe, were educed corollaries so contradictory, that how even the credulity of sectarian hatred could impute both to one and the same body of misbelievers, is hard to comprehend. Whilst one sect, in order to extinguish as fast as possible this diabolical creation, where the pure

soul is miserably imprisoned in flesh, prohibited marriage altogether, alleging that only inviolate virginity could to God be endurable; other, less rapid depopulators, allowed wedlock even to priests, provided every couple, when parents of one child, separated to resume a life of single blessedness. In opposition to all these, others held the Satan-created body too thoroughly contemptible to be worth a thought; its actions so utterly insignificant, that if they did not explicitly permit, they regarded licentiousness, unbridled even by the closest ties of blood, with absolute indifference. Another sect, who ascribed the creation to the Good Principle, maintained, that appetites implanted in man's nature by God, are not to be curbed; and Aimery de Bene taught, that sin was a nonentity, and every action whatsoever innoxious, so the agent were filled with love of God. Another of loftier views, who asserted that everything, the human soul especially, emanating from the Divine Essence, would into it be ultimately re-absorbed, deemed carnal instincts and appetites given to be conquered by meditation; and modesty a symptom of disgraceful feelings; wherefore zealots of both sexes, confident in their own conquering strength, proved their purity by associating wholly divested of garments.

With respect to our Saviour various fantastical notions are enumerated; some of which, as blasphemous, the pen shrinks from recording; and all are, as usual, attributed to all. One very general belief was, that Christ assumed an illusory or phantasm body, being really neither incarnate of the Virgin, nor crucified. Another, that the Virgin herself was an Archangel, according to one subdivision of this sect, without sex, according to another, really the mother of Christ, though still his incarnation gave him only an illusory body. A third sect averred that Christ never was seen upon earth, having compelled a Demon to assume his form, which Demon really was crucified; a fourth, accepting the Gospel history literally, held that it recorded the transactions of another world, where the New Testament was written. A fifth, proclaimed two Christs, one bad, who, born of an unchaste woman, did suffer as related; one good, altogether spiritual, who

was unseen upon earth, until incarnate in St. Paul. A sixth asserted that the Ark was a mere symbol of their sect, and that Christ, a sinner like other men, was saved by entering it; a seventh, the intellectual ancestors of modern Rationalists, merely rejected everything supernatural in the New Testament, interpreting the miracles of Our Saviour and his Apostles allegorically; an eighth held every good man to be an only begotten son of God, this being the sense in which Christ was so; and finally, a ninth, most extravagant of all, that Satan was the second son of God.(69)

Some of these sects denied the Resurrection of the body, some any future existence whatever. Many rejected infant Baptism, some Baptism altogether. Some repudiated a priesthood, whilst others had a regular hierarchy, with forms of ordination of their own: some are even said to have had degrees of initiation, and recondite doctrines, revealed only to the tried and chosen few; but this last must needs refer to the time when they shrouded themselves in mystery. They all refused to pay tithes, denied the right of the civil authorities to inflict capital punishment—as encroaching upon the functions of the Almighty. They generally deemed taking an oath a breach of the third Commandment; and some, on account of the uncertainty of human affairs, are said never to have made a positive statement, lest they should unwittingly utter a falsehood. Finally, whilst with some mystics, Faith was the only requisite to salvation, others sought to work out theirs, by a certain number of prayers daily and nightly repeated; and again, others by a hundred genuflexions regularly distributed through the four and twenty hours.—A few Roman Catholic writers impute yet more blasphemous absurdities to the Albigenses; but enough have been mentioned to show that all heretics were not necessarily sound Protestant Christians.(70)

Some of these sects objected to churches as superfluous, worship being everywhere equally fitting. Many held church bells, plate, altars, chalices, crosses, in short, whatever may be denominated church furniture, in abhorrence; also church music, and certain books of the Old Testament. With respect to some of these things much

difference of opinion existed amongst the sects; whilst some spurned a crucifix as an idol, others simply objected to the usual form, requiring the cross to be in the shape of a capital T, upon which the effigy of the Redeemer should be fastened with three nails instead of four, one nail piercing both feet. But the opinion of enlightened modern Romanists appears to be, that their aversion was the natural fruit of a deep Christian feeling of horror, for the instrument of their Saviour's sufferings.(71) This abhorrence, whatever its ground, was upon one occasion exemplified by making a fire of crosses and crucifixes, to cook the dinner of the heretic army—a proceeding which the orthodox might well interpret as an abjuring of Christianity. In regard to the Bible, all sects built their faith upon the New Testament, as expounded by themselves, and to all, therefore, this portion of the sacred volume was an object of veneration. But the Old Testament, as before said, was not so unanimously revered; while some sects accepted it like the Church, others selected particular books to be esteemed sacred, rejecting the rest, and others rejected it altogether. Hence the stories of sacrilegious treatment of Bibles, which Protestants have peremptorily denied, as, because sacrilegious, impossible. Nothing more likely, than that besieged Albigenses should defile and toss from the walls, the rejected books of the Old Testament, with cries of "There is *your* Bible!" and that the orthodox besiegers should conclude the volume contained the whole of the Holy Scriptures. And how should it occur to the spectators, to connect any but irreligious ideas with the desecration of a crucifix?

How much of the various extravagant and absurd opinions here collected is to be considered as caricature—which, however preposterous, pre-supposes a strong, if disagreeable, likeness—must remain doubtful; and this part of the subject might, perhaps, be so dismissed; but as the actual origin of one, and only one sect, is known, that must be distinctly stated, as some guide to the judgment formed both of it and of the rest. Peter, surnamed because born at Vau, *le Vaudois*, Latinized Valdus, whence Waldo, a wealthy and free-living merchant of Lyons, upon seeing a gay com-

panion, struck by lightning, fall dead at his side, was so impressed with the nothingness of worldly prosperity, that he thenceforth devoted himself wholly to the study of the Bible. In the injunction "Sell that thou hast and give to the poor," he found the rule of life; obeyed, and next day begged his bread. His wife, who had some separate property, deeply felt the disgrace of his mendicancy; remonstrated, "Why beg of strangers when I can support thee?" and, upon his persisting, complained to the Archbishop. The prelate investigated the matter, and far from treating Peter as a heretic, commended his piety and charity; but ordered him to content himself with begging of his wife, and forbade him, being a layman, to preach or teach. But in preaching and teaching Peter delighted, as probably in begging; and he appealed to Rome. The sentence was confirmed, and he became an avowed heretic; his chief heresies being the duty of absolute poverty, and contempt for fasting; in opposition to the Katharists, who uniformly abstained from animal food, except fish. Peter soon formed a sect called indifferently the Poor of Lyons, and the *Vaudois*, or Waldenses, from his surname, which last designation, apparently, causes the habitual confusion of the Poor of Lyons, whose heresies were of so simple a kind, with the *Vaudois*, so called from being chiefly found in the valleys of Piedmont, where for centuries their creed had prevailed. When attacked as a heretic, Peter fled, and at length found a resting place in Bohemia, where he made and left a number of converts.

These various heresies had been spreading, and creeping to light, throughout the twelfth century; and in an age so essentially intolerant as this has shown itself, no surprise can be felt that heretics, when known as such, became objects of detestation. Even as early as the eleventh century, heretics had been burnt in France; in the beginning of the twelfth, to bring the subject collectively before the reader, Alexius Comnenus burnt Bogomiloi at Constantinople; at St. Gilles, in France, the populace burnt a rejecter of rites, ceremonies, and churches, in 1130; in 1139 a larger sacrifice was, in England, offered—if, as above mentioned, rather passively

than actively—to the God of mercy and long suffering; as was, in 1166, a regular holocaust at Cologne; and smaller executions, the King's acts of expiation, followed, as has been seen, at intervals in France. All these victims are represented as dying joyfully, triumphing in the honours of martyrdom; and at Cologne, a young girl, whom the mob, moved by her extraordinary beauty, had rescued, sprang back into the flames. This is almost a solitary instance, of compassion for heretics in the populace, who appear to have greatly enjoyed such exciting spectacles, occasionally undertaking the executioner's office.

But heresy, long increasing in silence and obscurity, now acquired such extent and consistency as to become an object of anxious attention to the Head of the Church. In 1163, Alexander III, then in France, held a Council at Tours, in which Katharists, Paterenes and Publicans, were specifically condemned; and a Synod of the clergy of the province was ordered to assemble two years later at Lombez, to take measures for the suppression of heresy. The Œcumenic Council that he held at the Lateran, in 1179, decreed that heretics, when proved irreclaimable, should be delivered over to the secular arm; carefully explaining that, in this recurrence to temporal authority, the object was to work upon the soul by fear for the body. In 1183, Lucius III commanded every bishop, during the obligatory annual visitation of his diocese, when every man was bound to reveal to him whatever great and secret crime had come to his knowledge, to inquire particularly into religious opinions. They were directed to allow persons accused of heresy to clear themselves by oath; but to deliver the relapsed up to the secular arm, taking their property for the Church. From princes and princely nobles he, at the same time, required an oath to support the prelates in these proceedings. The following year, in a Council held at Verona, he confirmed all these measures, and excommunicated Katharists, Paterenes, Poor of Lyons, *Passagini*, *Umiliati*, and *Giuseppini*, specifically, and all Manicheans indiscriminately. But the alarm created by Saladin's conquests speedily diverted the attention of succeeding Popes from heresy; and in this condition,

Innocent III, at his election, found religious opinion in Europe.

To such a Pope as Innocent—a master of scholastic theology, firmly convinced that his own was the sole saving faith, and deeply imbued with the authority, the duties, and the awful responsibility of the papal office—this growing prevalence of heresy must have been alike grievous and mortifying. To bring back the lost sheep to the fold, to rescue from eternal perdition all Christian souls, misled from the path of salvation, he naturally esteemed the peculiar and imperative duty of the supreme Pontiff, and he prepared to grapple with the enemy. His preparations were such as might be expected from his commanding intellect and his moral character.

He first sought for the cause, that could thus have fostered the rise and propagation of heresy, and believed he had found two; one, the vices of part of the clergy, which, in the eyes of their flocks, degraded and polluted the religion they preached; the other, the negligence of a yet larger part, who, leaving their flocks without religious instruction, laid them open to any false doctrine, inculcated by zealous sectarians. His first measure, therefore, was a strenuous endeavour to reform the clergy. He commanded those intrusted with the cure of souls, to exert indefatigable assiduity in teaching their parishioners, in reasoning with the heretically disposed, and refuting their errors. That they might be capable of so doing, he commanded them diligently to study the Holy Scriptures. But as Innocent desired not to interfere between the lower clergy and their diocesans, he committed to the bishops the duty of inforcing obedience to these commands; with the bishops, therefore, did the reform begin.

Innocent required, from every prelate, the assiduous visitation of his diocese, enjoined by Lucius III; and he invited such, as, from age or other infirmity, might be unequal to this active superintendence, to resign their sees. With those whose vices dishonoured the Church, he took stronger measures; the Legates, whom he sent into various countries to see that all papal injunctions were obeyed, were instructed to inquire into the conduct of the bishops, and authorized to depose, if necessary, any

immoral member of the order, whom they could not persuade to avoid such disgrace by resigning. Nowhere was this reforming mission more needed than in the heretical South of France. The Archbishop of Narbonne, an illegitimate son of Pedro of Aragon's grandfather or great grandfather, was reported to be about the worst of the objectionable prelates. Avaricious, he accumulated benefices, keeping prebends, rectories, and the like, vacant, when the incumbents died; indolent and negligent, he rarely appeared in church, and interfered not with the unbounded licentiousness of his clergy. Innocent's Legates, after earnestly and repeatedly, but vainly, pressing him to prevent scandal by resigning his see, deposed him. He appealed to the Pope, and, despite his age and infirmities, repaired to Rome. The Holy Father treated him with personal forbearance, but confirmed his deposal; and the example proved effective. Prelates of inferior birth and station hoped not for more indulgence, and several bishops resigned their sees, upon learning that their chapters had complained of them. Some, indeed, still abused the degree of consideration, which respect for the church they disgraced, not tenderness for them, called forth. As, for instance, the Archbishop of Bordeaux, accused of leaguing with banditti to plunder his flock, obtained a prolongation of the time allowed him in which to resign, and died in his archiepiscopal palace ere this period of grace expired.

The clergy, thus purified and prepared, were expected to effect, by reasoning, the conversion of all heretics. For Innocent, fully adopting the opinion of St. Bernard and Peter the Venerable upon this subject, in all his early epistles and sermons inculcated this great duty, and decidedly eschews the idea of employing force in lieu of argument. In a sermon preached upon an Ash Wednesday, he says:—"The bonds of the heretics must be loosened by teaching the truth; for God desireth not the death of a sinner, but rather that he should turn from his wickedness and live." He further justifies this opinion by that of the Fathers of the Church, who have said, "men are to be persuaded not forced to believe." And chiefly to the Cistertians—whose austere lives were calculated to give

weight to their words—as subsidiary to, and, when necessary, substitutive for, the ministry of the parochial clergy, he committed the business of teaching and refuting heretics. It must be added, that at this time, Innocent, as indeed the Roman Church generally, does not appear averse to the perusal of the Scriptures by the laity. Translations of the Bible into Scandinavian and other languages by Cistertian monks, for the use of the natives, are often mentioned; and Innocent, in an epistle to the Bishop of Metz, says that he is informed the people of this diocese wish to hear the Bible read in their mother tongue, and deride the ignorance of their parish priests; that the desire to read and understand the Holy Scriptures is rather laudable than otherwise; but that secret meetings for the purpose, arrogant private interpretation, and insolence to priests is wrong. He then inquires what translation of the Bible they study, and whether those who study it are orthodox.(72) If apprehension consequent of evil be there, it is faint and remote.

But long before he could hope to see any result from his judicious measures against heresy, Innocent was called upon to deal with individual heretics. The first place where this occurred was Bosnia. There, in the very year in which he took possession of St. Peter's Chair, the Ban's consort, and the Bishop,—the whole bannat formed but one diocese—who had long been suspected of Paulicianism, avowed their creed; and their example encouraged all compatriot secret Paulicians and Katharists to declare themselves. Innocent commissioned the neighbouring Archbishop of Spalatro, or Spalato, to undertake the conversion of the Bosnian heretics, sending a Chaplain of his own to his assistance. The Chaplain ascribed the prevalence of heresy to the causes generally assigned by Innocent himself; and, whilst endeavouring temporarily to supply the want of religious instruction by his own preaching, he proposed, as a permanent remedy for this evil, to divide the single bishopric into five, to which learned Italian ecclesiastics should, in the first instance, be appointed. Whatever these measures of precaution against future evil might do, those adopted for present

cure remained ineffective during the political disturbances mentioned in the last chapter. Vulcan, when King of Servia, took advantage of a husband's reluctance to act rigorously towards his wife's co-religionists, to charge the Ban himself with heresy, thinking thus to get Bosnia. He laid the accusation before Innocent, who called upon the King of Hungary, as suzerain, not to punish or to coerce opinion, but to guard the orthodox from heretical infection. "Care for the healthy," he wrote, "must always outweigh pity for the diseased;" and added:—"For therefore do kings bear the sword, to guard the pious, and execute vengeance upon evil doers; to protect the orthodox in their faith, and reduce to submission heretics, who mock at the punishments inflicted by the Church." To this end he required the expulsion of all obstinate Katharists from Bosnia by force of arms. Ultimately Kulin, yielding to Emmeric's earnest remonstrances, with the bulk of his subjects, formally abjured heresy;(73) when the Archbishop and Chaplain left Bosnia, professedly orthodox, and supplied with learned prelates to keep her so.

But nearer home, even in his own dominions, had he next to guard the orthodox from contagion, to convert or expel heretics, as seditious as they were heretical. At the close of the twelfth century, Katharists and Paterenes lurked in many papal cities—at Orvieto boldly showing themselves. There they taunted the Roman Catholics, challenged them to the combat, not of wits but of swords, and threatened them with exile. The Bishop proved wholly unable to contend with the growing evil, and in 1199, the orthodox Orvietans sent a petition to Rome for a Podestà who could stem the torrent. The Pope, in concurrence with the Romans, appointed to the office Pietro Parenzio, a young Roman noble, very devout and energetic, if not equally judicious.

Parenzio's operations upon assuming the government were little in accordance with Innocent's principles, unless the disorderly violence of the heretics be supposed to have altered their character to that of rebels. After a consultation with the Bishop, he issued an edict, promising pardon to whoever should return to the true faith by a specified day;

and threatening with heavy pains and penalties whoever should slight the invitation. Sectarians, who proclaim their opinions, are not to be so influenced; the invitation *was* slighted, and the Podestà proceeded to punish. He did not, indeed, shed blood; but the imprisonments, fines, demolition of houses, and public flagellations, by which he endeavoured to convince misbelievers of their errors, appear to have provoked enmity as bitter as could any prodigality of human life.

At Easter of the following year, Parenzio visited Rome, where, according to the law regulating the office of podestà, he had left his whole family. The Pope inquired of him the state of heresy at Orvieto, and he replied: "I have so punished the heretics that they publicly menace me with death." The Holy Father thereupon—whether praising or blaming — granted him, for the contingency of his falling under heretic vengeance, a full remission of his sins; and Parenzio, thus relieved from all anxiety respecting his lot in another world, despite the tears of his wife and mother, returned to his post.

May-day he reached Orvieto; and, upon the 21st, gave a banquet to his friends. The evening passed in social hilarity; the guests withdrew, and the Podestà was preparing for bed, when a bribed menial admitted the Paterenes into his palace. They dragged the champion of orthodoxy out of his room, out of his house, out of the town, and into a field. There they demanded of him the restitution of all the fines extorted from them, and a solemn pledge either to protect and support the Paterenes, or to resign his post, leaving them to themselves. To the pecuniary demand Parenzio is said to have assented, positively refusing the pledge. The discussion was not allowed to grow tedious. One of the party, crying "What is the use of so many words?" struck the Podestà on the mouth; when his companions, fired by the bold act, instantly despatched him with their daggers. Celestial lights are reported to have irradiated the grave of the victim, who, as a martyr, was canonized. The murderers, one and all, are believed to have expiated their crime by speedy and dreadful deaths; the obstinate Paterenes were expelled; and centuries afterwards, A. D.

1560, the city erected a magnificent monument to the memory of San Pietro Parenzio—its patron Saint, from the hour it was cured of heresy.

Next to Orvieto, Viterbo abounded with heretics, who were even able to elect Paterene Consuls. Thence, however, Innocent appears to have scared them by a sort of act of outlawry. This castigation of the Viterban heretics, combined with Parenzio's measures at Orvieto, and the consequences of his murder, so alarmed their compatriot co-religionists, that ere long the pontifical dominions, if not wholly and thoroughly orthodox, were at least free from the public display of heresy, in seeming defiance of the Pope. Throughout Tuscany, and in some parts of Lombardy, similar measures were adopted with similar success; but from Milan—long the Italian head quarters of heresy, there strangely brought into close alliance with Papalism, *i. e.* Guelphism—the expulsion was only apparent, and, even so, very imperfect. Milan remained the heretical supporter of the Popes, being, in fact, simply the enemy of the Emperor, and therefore the ally of another of his enemies, the Pope.(74)

Into Germany, likewise, had these heresies crept. Into the eastern states they came direct from Bulgaria; and as a mean of checking their progress, through increased activity in spiritual instruction and superintendence, Innocent, as requested by the Duke of Austria, erected a new bishopric of Vienna. Into Bavaria and Swabia they penetrated from Switzerland; into the north-western parts through the Netherlands from France, whence, upon the other side, they invaded the north of Spain. The prevalent heresy in Germany seems to have been Katharism, which there acquired a mystic hue. But the German heretics were as yet few, neither causing anxiety, nor much attracting the Pope's attention. It was in the South of France, that a hard struggle against impending schism, awaited the champions of orthodoxy.

Various circumstances had contributed to render that district a nursery of innovation. Intellectual culture, luxury, and licentiousness, there, as has been seen, emulated each other; and whilst the first revealed some of the errors of the Roman Church, the two latter(75) gene-

rated an alienation from all religion, which, by inevitable reaction, produced fanaticism, whether for the old faith, for that faith divested of its errors, or for any of the wild fancies that have been enumerated. Moreover the spirit of toleration, actuating its princes to the degree of suffering Jews to possess land, exercise civil offices,(70) and have colleges of their own, encouraged reformers and heretics to show themselves earlier and more boldly there than elsewhere. Before the middle of the twelfth century, the personal exertions of St. Bernard have been seen necessary there, to put down the Henricians; and prior to its close, the bulk of the population appears to have been heretical; a spiritual condition fully—if covertly—tolerated by the princely nobles, some of whom were suspected of secretly entertaining the new opinions, as was almost known to be the case with many of their noble vassals, their priests, monks, nuns, and even mitred abbots. Thus confident of protection, the professors of the new creeds were ardent in their zeal, and as intolerant as the Roman Catholics presently showed themselves.

Innocent directed the Cistertian missionaries, to whose piety and eloquence he at once committed the conversion of the Albigenses, to investigate the cause of this prevalence of heresy, and to satisfy themselves, by distinct interrogation, as to the orthodoxy or heterodoxy of all persons whose religious opinions were in the least mistrusted. And this simple inquiry, a mere variety of, or assistance to, the regular duty of every bishop at his visitation, proved the seed of the terrible tribunal of the Inquisition. The chief of these missionaries, invested with legatine authority, were the Cistertian Abbot of Abbots, Arnold, and the monk, Peter of Castelnau; a man so innately devout, that when Archdeacon of Maguelonne, and evidently on the high road to a bishopric, he renounced his prospects in the secular church, to take the cowl in a Cistertian monastery. As to the causes promoting the growth of heresy, Peter agreed with Innocent; but, judging mere argument insufficient for its extirpation, entreated the Pope to send legates of higher rank, whose dignity might support and give weight to their preaching. The request was granted, and the Cardinals, in conse-

quence from time to time sent, took up their temporary residence at Montpellier, and other towns of these vassal principalities.

The Cistertians began their operations in Innocent's own spirit, with the purification of the episcopal order. They flattered themselves that considerable progress towards the performance of their allotted task was effected, when they had prevailed upon the almost superannuated Bishop Otho of Carcassonne, and an illegally intruded Bishop of Toulouse, to vacate their respective sees. This confidence increased when they had carried the elections of Bishop Otho's active and vigorous nephew, as his successor, and of the ex-troubadour, Folco, of Genoa, *alias* Folquet, Foulquet or Foulques, of Marseilles, to the see of Toulouse. But the troubadour-prelate is another of the remarkable persons who claim a more particular introduction.

Folco, the son of a Genoese merchant settled at Marseilles, was intended to succeed his father in his business. But the lively imagination of the youth sickened at the drudgery of a counting-house; and whilst his spirits revelled in the delights of the world of poesy, he felt the intellectual, free, and more than free, life of the troubadour, irresistibly alluring to his temper and his senses. He devoted himself to the *gai saber*, and, like his fellow votaries, to lawless gallantry. As a troubadour he ranked high, especially at the courts of King Richard, with whom he was a personal favourite, of Richard's brother-in-law, Raymond Earl of Toulouse, and of the Viscount of Marseilles. To Adelaide, Vicountess of Marseilles, his first love lays are addressed, though he masked his courtship of his Lord's wife, with a show of wooing his two sisters; sufficient evidence that the passion of the poet, himself a married man and father of a family, did not even affect to be platonic. Were more proof wanted, his amorous ditties afford it, in one of which he prays the lady of his heart, to make him happy while she can do so unsuspected, he being supposed to be enamoured of her sisters-in-law, Laura and Mobile. But the connubial fidelity of Viscountess Adelaide was invincible, even by poetic flames, and she banished the audacious lover from

her presence. The less constant than susceptible Troubadour sought and found consolation, in the smiles of Eudocia Countess of Montpellier, to whom his amorous strains were thenceforward dedicated.

But now occurs another of the sudden conversions, of those days of impulse and of contrast. The rapidly successive deaths of his two successive patrons and dupes, the Comte de Montpellier and the Vicomte de Marseilles, so struck the impressionable fancy of Folco, as completely to change the current of his feelings and ideas. Love and gaiety were for him no more; and an austerely ascetic life became the sole object of his desires. He persuaded his wife, to whom it may be surmised that wedlock had not been a heaven upon earth, to adopt his new views; and she pronounced her vows in a Cistertian nunnery, as he and their two sons did theirs, in a monastery of the same Order. The Monk, Folquet, was as distinguished a personage as the Troubadour, Folco, had been. Nor indeed did he wholly neglect the muse, though the character of his effusions was changed, if, as is reported, he preached, in verse, a crusade against the Spanish Mohammedans.(77) He was speedily chosen Abbot of his monastery, and in 1206, the epoch now reached in the progress of heresy, was elected Bishop of Toulouse. Peter of Castelnau, then confined to a sick bed, raised his hands to heaven in thankfulness for such a prelate in such a diocese.

The new Bishop, amidst the vexations and annoyances of all kinds, to which he was subjected by his heretical flock, discharged the arduous duties of the high office in critical times intrusted to him, with a disinterested and indefatigable zeal, that it is grievous to see disfigured—as we presently shall—not only by inexorable cruelty, but by treachery towards supposed heretics, or their suspected indulgers. Amongst the criminally indulgent, he reckoned the Earl of Toulouse.(78) It is equally grievous to discover that these qualities did not deteriorate his character, in the estimation either of contemporary co-religionists,—monks, if they could not quite canonize, gave him the title of *Le Bienheureux*,—or of the greatest of their immediate posterity. Dante and

Petrarch,—the first, ultimately a decided Ghibeline, the second, so anti-papal that late writers have represented him as a Reformer, the precursor of Wicliffe and Huss,—have, severally, placed Folquet in Paradise,(79) and in the *Trionfo di Amor;* in the last, he, indeed, appears merely as a Troubadour, but without a hint that his heart was less admirable than his intellect.

But preaching, even supported by the new Bishop's zeal and eloquence, and by the high dignity of a Cardinal, proved inadequate to the conversion of the Albigenses; and legates, prelates, and missionaries were perplexed what measures to adopt, when a new actor appeared upon the stage. This was another of the extraordinary men of an age rich in such phenomena; a man influential, for evil as well as for good, not only amongst his contemporaries, but through many succeeding generations. The individual in question was Dominic de Guzman, canonized as St. Dominic, the founder of the Order of Dominicans or Predicant Friars, and eventually—it may well be hoped unintentionally—of the Inquisition.

Dominic, born in 1170, in a small town of the Spanish diocese of Osma, was, as his name imports, the son of noble parents, related, if distantly, to the first families in Spain. He is said to have discovered, in actual infancy, such innately intense piety, that an ecclesiastical uncle took charge of the six-years-old child, to educate him for the Church. As he advanced towards adolescence he devoted himself to the studies appropriate to his intended profession, with an ardour and a perseverance that debarred him from all participation in the pleasures of his fellow-students, at the high school of Palencia. He inured himself to all the austerities and privations, deemed ornaments, if not actually essentials, of that profession, and refused to touch wine, although medically prescribed for his delicate health, until commanded by his bishop to drink it. His charity equalled his piety; upon the occurrence of a fearful scarcity, he sold his furniture and other property to procure relief for the famishing poor; and when this fund proved insufficient, sacrificed even his highly prized books to that object. In a young and eager student, as remarkable a sacrifice, as that which he after-

wards proposed making, to insure a poor old woman's salvation. Upon her telling him that she would fain leave the Albigenses, to join the true Church, but could not, having no support save their alms, given only to fellow-worshippers, he offered to sell himself into slavery, and with the price secure her a subsistence as a Roman Catholic. The necessity for the sacrifice was obviated by his wealthier associates. But to return to his early life. So high and so rapidly did the reputation of the youthful ecclesiastic rise, that he had barely completed his twenty-third year, when Diego, Bishop of Osma, named him a Canon of his Cathedral; and so completely did he gain the good will as well as the respect of his brother Canons, that upon the death of the Sub-Prior, he was unanimously elected in his stead. Dominic, shrinking from posts of dignity, strove to decline, but was compelled to accept, the office. Preaching, however, continued to be his chief occupation and pleasure. To preach in different places he incessantly travelled about the diocese, and is said to have converted many Spanish heretics. In the year 1204, the theatre of his activity was changed. The King of Castile sent the Bishop of Osma as his embassador into the north of Europe, to negotiate a marriage for his minor son and heir; and the Bishop selected his Sub-Prior as his companion. Various difficulties obstructed the negotiation, which appears to have ultimately failed. Upon their return, the prelate seized the opportunity to visit Rome with his companion; whence they travelled homeward, through the South of France. They reached Montpellier at the very moment when the Cistertian Abbots, to the number of a dozen, amongst whom was Guy of Vaux-Sernay, now returned from the fourth Crusade, were deliberating with Peter of Castelnau, upon the course to be adopted for the conversion of the Albigenses.

The new comers were deeply impressed with the alarming spiritual condition of the country. They had learnt upon their journey to appreciate the advantage, which the envy, excited by the wealth, pomp, and luxury of the high clergy, gave the plain heretic teachers. Hence Dominic at once pronounced that, in order to counteract an influence so pernicious, the simplicity and frugality by

which it was acquired, must be emulated. He therefore pressed the legatine-missionaries to travel the country on foot. Prosperity had wrought its usual effect upon the Cistertians, and most of the potent Abbots shrank from the unwonted step; when he easily induced his own, more apostolically tempered prelate,—who, but for Innocent's prohibition, would have resigned his see, to devote himself to missionary toils and perils among heretics—to set the example. Bishop Diego sent forward his horses and his train, and, accompanied by Dominic alone, undertook a pedestrian, and seemingly barefoot, expedition of this kind.

Their purpose took them far from high roads, through secluded valleys, and into the loneliest recesses of the mountains. One day, their guide, a secret heretic, purposely misled them through briery thickets, and bramble-covered ground, where thorns wounded their unprotected limbs. Dominic exultingly cried, to his somewhat depressed associate, "Joy! joy, my revered Lord! Our blood is flowing in expiation of our sins. We are cleansed, and our hallowed object must be attained!" These words, this fervent zeal, combined with such patient humility, touched the heart of the guide, who was even then glorying in the hope of disheartening the pedestrians; and he embraced the faith of which he saw the fruits. During this journey, Dominic is said to have achieved a more important conversion, in the person of Ponce Roger, one of the principal preachers of the Albigenses.

The example thus set by the Spanish Bishop, and rendered more impressive by its success, however partial, was followed. The Cistertian Abbots took the pilgrim's staff in hand, summoned the most learned of their monks to join them, and dividing themselves into small bands, undertook pedestrian missions. The Bishop of Osma resumed his homeward journey; but Dominic remained in France, where he and Peter of Castelnau were alike, though differently, zealous and active missionaries. The whole heretical region was now traversed in all directions by ecclesiastics of all grades, cheerfully undergoing unaccustomed toil and hardships, and fervently preaching the creed of Rome. The proceeding was not ineffective. Many heretics of humble condition were converted, more

waverers were confirmed in their old faith; and the zeal of staunch Roman Catholics rose to white heat. But if some were gained over, if some of the missionaries won the love and respect even of those whom they failed to convince, their success was not sufficiently brilliant to support the ardour impelling them to the effort. They found the new opinions too firmly rooted to be easily extirpated, and most of the Cistertians, sickening of their laboriously won imperfect success, or recalled by the business of their monasteries, returned to the usual routine of their cloister duties. Abbots Arnold and Guy, with Dominic and Peter, persevered.

When Bishop Diego reached Pamiers on his road home, he was entreated to pause there, in order either to preside ever, or to share in, a conference about to be held by Romanist and Katharist theologians, to attend which the Comte de Foix had come thither with his wife and sisters. Both parties, as usual in such bloodless, verbal wars, claimed the victory; and the colloquy is chiefly worth notice for a little incident, explanatory, perhaps, of the superior popularity of the creed of the Albigenses over that of Rome, with the female sex; and the influence of woman in propagating religious opinions is an admitted historical fact that needs no proof. Countess Claire-monde, one of de Foix's sisters, interposing in the debate, with some remark favourable to the Albigenses, her right to be heard was gladly acknowledged by their champions. But the orthodox disputants silenced her, scornfully exclaiming "To thy distaff, Lady! It is not for thee to speak in such controversy!" Who can wonder if the worshipped divinities of knights and troubadours resented such contempt? Who need be told that Clairemonde's apparent predisposition to heterodoxy was strengthened, and perhaps her brother's? The Bishop of Osma prosecuted his journey, but died ere he could reach his monarch's court.

Regardless of the Pamiers discussions, the fanatical monk, Peter, seemed to court the crown of martyrdom, at least as much as success in his allotted duty; whilst Dominic, continuing to tread the path he had marked out for himself and his fellow-labourers, still effected a few

conversions. What was perhaps of more avail, he managed to stop one grand source of success to the Albigenses, in gaining proselytes. They had fallen upon the scheme of affording gratuitous education to young girls of all conditions. To indigent parents, indigent nobles included, this temptation seems to have been irresistible; and the pupils, of course, returned home staunch adherents of some sect or other; certain to instil their own sentiments into their future children, and many of them well drilled controversialists, prepared to convert their families. Dominic, when he felt himself sufficiently established in the esteem of the whole of Romanist southern France, proposed to the inferior nobility to unite their daughters, with others of humbler station, in a sort of conventual seminary, where they should be educated, according to their several conditions, by nuns, trained for, and devoted to, such an office. The proposal was approved, and he adopted for his educational institution the Augustinian rule, with the superadded austerity of the Præmonstratensians. This nunnery-school was the first germ of the far-famed Dominican Order.

Encouraged by the success of this plan, Dominic next invited pious men to join him at Toulouse, in a species of monkish fraternity, unbound by monastic vows, but pledged to dedicate their lives and energies to the conversion of heretics. The invitation was numerously accepted, and Bishop Folquet took the association under his especial protection; assigning for its support, much as the heretics, by obstructing the collection of his episcopal revenues, cramped his means, a share in the tithes of one specified district. This was the second phase of the embryo Dominican Order.

Another association was about this time formed, which, among the lower classes, competed in popularity with the Poor of Lyons, by adopting the same literal interpretation of the command, "Sell that thou hast and give to the poor." It was founded by one Durand, whom Bishop Diego had converted from the Poor of Lyons' sect, and who, retaining the spirit of that sect, was wholly devoted to works of charity, as tending the sick, building hospitals, and the like, but above all to converting heretics. Dominic

is said to have found in this association very useful auxiliaries; but Durand having likewise retained some unorthodox practices of his earlier co-religionists, the fraternity was accused of heresy at Rome. Innocent treated these unintentional offenders most leniently; lauded their devout purposes, but warned them against innovations. They at once submissively renounced their errors, and the institution was thought to promise great utility; but it did not outlive its founder.

Innocent's views and instructions, concerning the treatment of heretics, had hitherto been governed by the belief, natural to a man firmly convinced of the truth of his own faith, that any heretic who listened to orthodox doctrine, preached by good, pious, and zealous men, *must* perceive that the Church was in the right; and would at once, abjuring his erroneous opinions, return to her bosom. Whether he were enough in advance of his age to ascribe the pertinacity of such, as would not be so convinced, rather to prejudice than to a depraved heart, may be questionable; but even if he were thus liberal, even if the few conversions that were achieved prevented his despairing of the ultimate efficacy of argumentative preaching, his avowed principle, the duty of guarding the sound from the danger of contagion, must needs set limits to his longanimity towards the plague-spotted. By the year 1207, that limit was reached. He now called upon the King of France, to expel such spiritual lepers from his kingdom. He commanded the Earl of Toulouse, in whose extensive dominions heretics abounded, to deal severely with the incorrigible, confiscating their property and banishing them. Something of the kind, Earl Raymond, sixth of the name, had promised in 1204, when visited, and exhorted to clear his territory of heretics, by Peter of Castelnau and the partner of his mission, the monk Raoul; but he had delayed to fulfil his promise, and at least tolerated his heretic vassals, being naturally reluctant to depopulate his principality, and, perhaps, having more of the troubadour—his court was a home of the Joyous Science—than of the devotee in his disposition. In fact, he had long before been excommunicated by Celestin III, for some aggression upon the Abbey of St. Gilles;

and still Earl Raymond deferred obeying these commands, urging the duty of converting, rather than punishing, the heterodox population. Again Innocent, to whom this delay might be represented as disobedience, called upon Philip Augustus; he now required him either to visit his southern provinces in person, or send his son and heir, Lewis, thither, to inforce compliance with the slighted papal injunctions. He addressed exhortations to divers French prelates and nobles to co-operate to this end; and a thundering epistle to Raymond, confirming the excommunication denounced against him by the Legates; from which, however, obedience was *ipso facto* to relieve him. The Pope's exhortations and menaces were, unintentionally, assisted, by the perpetration of the first great crime staining this religious controversy.

The crime in question was committed upon the person of Peter of Castelnau, but as to both the manner of perpetration, and the degree of guilt attaching to the deed, doubts exist. He and some of his missionary colleagues met Raymond by appointment at St. Gilles, to discuss the conditions upon which he should be relieved from excommunication. Their demands offended the Earl, and the debate that ensued produced mutual exasperation. The Legates declared they would quit St. Gilles, where their presence was manifestly useless; and the angry Earl threatened to punish their departure with death. They departed nevertheless, and separated. Upon the 15th of January, 1208, Peter, apparently with a single clerical companion, was stepping into a ferry boat to cross the Rhone, when he was accosted by two persons who had slept at the same inn with them. A sharp argument seems to have ensued, in the midst of which, one of the missionary's interlocutors, suddenly drawing his sword, ran him through the body.(80) He fell, repeatedly exclaiming, in a genuine Christian spirit, that offers a striking contrast to his habitual intolerance, "Forgive him, Lord, even as I forgive him;" and after a few words to his companion touching their mission, Peter of Castelnau died.

Raymond's enemies allege that no dispute preceded the fatal blow; that a servant of the Earl's, who lay under his

displeasure, pursued the Legate, upon overtaking stabbed him, and thenceforward enjoyed his Lord's especial favour. Raymond's advocates, on the contrary, aver that the murderer fled for safety to his friends and family at Beaucaire, and that the Earl was more wroth at the deed than he had ever been known; and even the Benedictine, Dom Vaissette, evidently inclines to think the anonymous chronicler of the next century in the right, when he says, "If the Earl could have caught the murderer of Castelnau, he would have done such justice upon him as must have satisfied the Pope." And well might Earl Raymond be wroth at the deed, for it sealed his doom!

The report concerning this murder addressed to Rome by the infuriated colleagues of the slaughtered Legate, would of course adopt the account, true or false, inculpating Raymond. Thus was Innocent, apparently, exasperated into forgetfulness of his own nice distinction between spiritual authority and sovereign power. He himself now assumed the disturbing power, claimed by Popes, but never willingly acknowledged by monarchs and statesmen of any religion. After having, in his proper pontifical character, pronounced Castelnau a martyr—whose blood would become matter of triumph, since a happy harvest must be produced from such seed—he further pronounced the hereditary dominions of the Earl of Toulouse forfeited; he released his vassals from their oaths of fealty, authorizing every true Christian to lay violent hands upon his person, and, the rights of suzerainty being respected, to occupy his lands. He exhorted the King of France to give efficacy to this verbal deposal of the Earl, by conquering, and either appropriating to himself, or bestowing upon meritorious Christian knights, his many principalities.(80) Still, however fierce his anger, Innocent left a door open for repentance; which Raymond was to testify, and thus earn a full pardon, by clearing his dominions of heretics: and be it noticed, even in this recourse to temporal arms, Innocent demands the banishment not the death of the heretic; the protection of the orthodox from the taint of false doctrines, not a hypocritical pretended conversion, extorted by terror or the rack, is what he desires.

The Earl, despite the vehement exhortations of his nephew, the Vicomte de Beziers, at once to arm in self-defence, only appealed to the French King, both as his uncle and as his sovereign, for assistance and advice in this extremity. The first, Philip, who had had enough of contention with Innocent, declined to give, and his advice was, implicit obedience. Raymond followed the counsel. He submitted to the humiliating terms upon which he was promised relief from excommunication, with the consequent restitution of his civil and political rights; and to the equally humiliating ceremonial imposed by the Legate, as the mode in which alone the sentence could be taken off. He engaged to join in the war, now found indispensable to the expulsion of the Albigenses, (the comprehensive name was at this time adopted,) and to be waged against his own subjects; he authorized his vassals to swear, that they would cease to obey him whenever he broke his oath to the Pope; and he delivered over seven castles to Milo—a Secretary of Innocent's, sent to succeed Castelnau as Legate—in pledge for his observance of these engagements. That done, upon the 17th of June 1209, the day fixed for the ceremony, he presented himself barefooted and barebacked, with a rope about his neck, at the door of the Abbey church of St. Giles, and on his knees prayed for re-admission into the Church. Milo did not sully his hands with the rope, but passing his own stole round the Earl's neck, dragged him with one hand by that into the church; whilst with the other he sharply scourged him. Innocent hereupon wrote to Raymond to express perfect satisfaction with his conduct, and confident hope that he would be able to clear himself of complicity in the murder of Castelnau. But still his dominions must be freed from heretics.

CHAPTER XII.

The Crusade against the Albigenses—Innocent's Views—Bigotry of the Legates—Simon de Montfort's Ambition—Innocent repeatedly deceived—Atrocities of both parties—Battle of Lesbordes—Interference of Pedro of Aragon—Battle of Muret. [1209—1213.

WHETHER the unpersuadable adherence of the Albigenses to their own opinions had convinced Innocent that they wilfully played the deaf adder, or had simply exhausted his longanimity, a lamentable change about this time appears in his views relative to heretics and their treatment. He now declared that, in order to guard the still sound from contagion, all intercourse with heretics must be prevented. To this end, and the thorough extirpation of heresy in the South of France, the expulsion of the Albigenses was indispensable, and now seemed feasible only by war. To the war which he therefore declared he gave the character of a Crusade. He granted to all who bore arms in it the same exemptions, protections, indulgences, and prospective, contingent absolutions, as to Crusaders. He sanctioned the performance of crusading vows for the recovery of Jerusalem, in the South of France, and against the Albigenses. He did not, indeed, permit crusading princes to tax their clergy for the expense of this war, undertaken at his command, but he somewhat authoritatively *invited* all persons, lay or clerical, who did not personally share therein, to contribute largely towards the cost. He allowed the warriors who obeyed his call to assume both the title of Crusaders and the Crusaders' badge, the Red Cross, distinguishing them from the champions of the Holy Land, only by affixing it to the breast instead of the shoulder. As there was

neither Crusade then in course of organization, nor immediate prospect of raising one, Innocent was, probably, unsuspicious of the degree to which he was blighting his own eager hopes of the recovery of the Holy City under his auspices, or, indeed, under any. The guerdons, spiritual and temporal, of a Crusade, were so much more easily earned in France than in Syria, that all French, and most Germans, whom devotion, or the necessity of atoning for their sins, might have driven to the defence of Palestine, now relieved their consciences in Languedoc. Even Templars and Hospitalers, resident in Europe, held their duty to be fully discharged by fighting against the Albigenses.

It is mortifying to the pride of human intellect to see a man endowed with the pure and lofty character of Innocent III, abandoning his equally rational as clement principles, at the instigation of minds so inferior to his own. But can it be matter of surprise or of harsh censure, when, as late as in the sixteenth century, which disdained the blind ignorance and ferocity of the thirteenth, even the revered reformer Calvin, far from having learned under persecution the lesson of toleration, taught that heretics, *i. e.*, dissenters from his creed, must be coerced with the sword? Ay, and acted up to this sanguinary principle. Whilst Innocent, if he adopted intolerant maxims, sought, even by his Crusade, not the death, or even punishment, but, the expulsion of heretics, in order to separate them from the orthodox. It was by his subordinates, his Legates, through whom alone he could carry out his views, that his intended expulsion was turned into extermination. They, in a Synod, or provincial Council, held at Avignon, early in 1209, authorized every bishop to require from all nobles and knights in his diocese, an oath to exterminate excommunicated heretics.

Thus called upon by angry bigotry, and spurred by ambition and rapacity, an army of from 50,000 to 100,000 Crusaders([81]) assembled at Lyons at Midsummer, 1209. Of these, 15,000 were equipped and paid by Philip Augustus, well pleased to see a vassal, so formidable as Raymond, Earl of Toulouse, Marquess of Provence, and Duke of Narbonne, likely to be brought into a more

manageable condition. His profound policy induced him, nevertheless, to decline, for his son as well as for himself, the command of the crusading host, upon the plea of danger impending over the kingdom from Otho IV and John; the latter of whom, instead of dreading, he was even then preparing to rob of his remaining French provinces. Upon the King's refusal, the command was, by the influence of the Legates, given—although many great and warlike nobles were present at the head of their vassals—to the Cistertian Abbot of Abbots; thus the more strongly to stamp the war with a sacred character.(82)

As the army advanced, Earl Raymond, conformably to his compulsory oath, hastened to meet it, and submit to the Legate's will. He promised to supply provisions, with all else demanded of him, and was received as an ally into the ranks of the Crusaders. Raymond Roger, Viscount of Beziers, followed his example, but with a different result. Whether his toleration of the heretics—his own orthodoxy was unquestioned—had been more flagrant, or that the Legate Milo, and Abbot Arnold, were resolved that their Crusaders should have one enemy, at least, to conquer and despoil,—and the Viscount, as one of the King of Aragon's chief French vassals, was an especial object of ill will—his excuses and his offers were alike rejected. He returned home determined to defend himself to the uttermost.

The tide of war, sweeping all before it, poured over the viscounty. Beziers, a strong place, well garrisoned, and expected by all parties to stand a tedious siege, fell the very day after the Crusaders sat down before it. The besieged, making a rash sally, were defeated, as, against such superior numbers, they might have foreseen, and so closely pursued in their retreat, that the pursuers entered the town pell-mell with them. A battle in the streets ensued, wherein they had the advantage; but whilst this struggle engrossed the attention of the besieged, other corps of besiegers forced neglected gates, scaled the sparsely manned walls, and on all sides bursting in, extinguished resistance. The butchery that ensued was indiscriminate; men, women, and children, orthodox and

heretics, even Roman Catholic priests at the altar, all were massacred! The venerable Bishop, whose only offence was fealty to his natural Lord, was burnt with his Cathedral, in which he was endeavouring to protect the feeble and the infirm, helpless age and infancy. The number of the victims is calculated at 20,000 by the Legates in their report to the Pope; while some contemporary writers materially reduce the estimate; which others, again, raise to 60,000, and even to 100,000.(83) It is upon this occasion that the Cistertian Abbot of Abbots, Arnold, is reported to have said, in answer to an inquiry as to the means of distinguishing true believers from heretics during the sack, "Slay all! God will know his own." But happily this speech, atrocious beyond credibility, as abandoning fellow-worshippers to the fate of those deemed God's enemies, does not rest upon contemporaneous authority. No mention of it occurs in the chronicle of the Monk of Vaux-Sernay—who, as he records the *joie extrème*, and the *joie indicible*, with which he and his comrades burnt heretics, found in places that had surrendered, would hardly have suppressed this proof of eager zeal—or in the evidently contemporary rhymed history of this Crusade, lately edited by Fauriel, where the author, beginning as an ardent crusader, gradually changes sides as he narrates the atrocities committed: and, yet stronger negative evidence, it is unnoticed even by anti-crusade writers, who recorded what they personally knew. It is first named by a considerably later historian;(84) and may, therefore, fairly be considered as a mere child of popular exaggeration, suggested by the slaughter of the Romanist priests. The town, when plundered, was burnt with the corses of the slain.

The fall of Beziers and the fate of its inhabitants spread terror around. Towns, castles, villages, were deserted, the people seeking a refuge in the most obscure recesses of the mountains. Carcassonne alone—mindful of the tradition telling that Charlemagne lay seven years before her walls ere she was his—prepared for resistance. There the Viscount took his station; thither repaired the knightly portion of his vassals, when they forsook their own castles, as indefensible against invaders seemingly

numberless; thither hurried the most martial of the lower orders, and thither, inconveniently for the prospect of a long siege, flocked fugitives of all classes, who from age, sex, or infirmity, were unequal to the hardships of concealment amongst the mountains.

Upon the 1st of August, the Crusaders encamped before Carcassonne, and the King of Aragon—either as Earl of Barcelona or as husband of the heiress of Montpellier—the Viscount's suzerain, feeling strength in the favour of the Pope, visited the besiegers to mediate between them and his vassal. He was permitted to enter the town, where Raymond Roger declared to him that were he and his fighting men alone in Carcassonne, never would he, upon any terms, capitulate; but in consideration of the helpless throng, for whom food already began to run short, he consented to treat. Such considerations were not, as has been seen, of a kind to weigh with the Legate and Abbot; and the only conditions Don Pedro could obtain for the Viscount, were safety of life, limb, and baggage, for himself and twelve companions of his choice. Indignantly Raymond Roger rejected them, exclaiming that, rather than desert one of his people, he would be flayed alive.

The King's regard for his vassal was insufficient inducement to risk embroiling himself with Crusaders, and he went home. The siege proceeded, and gave occasion to one of the chivalrous feats relieving tales of horror. The besiegers being repulsed in an attempt to scale the walls, one knight fell, with a broken leg, into the moat, where, deserted by his retreating comrades, he lay defenceless, at the mercy of the triumphant foe. Simon de Montfort heard of his situation, and returning alone to the spot, carried off the wounded man upon his shoulders, in full view of the besieged, who, charmed with the gallantry of the action, forbore to use bow or engine until he had reached his own ranks with his burthen. The siege lasted not long. That food ran short was not the worst evil the town suffered: a scorchingly hot summer dried up the springs and wells that supplied Carcassonne with water, and to capitulate was inevitable. With a safe conduct the Viscount visited the camp to negotiate the terms, when he was perfidiously detained; and the only terms granted the

garrison and inhabitants, were liberty to depart with such clothing as decency required. The booty found here was immense, and the place being taken by treaty, its riches were secured by the leaders for the purposes of the Crusade.

Abbot Arnold, judging the object of his assuming military duties accomplished, now desired to lay down the unclerical office. The Legate assented, and offered the conquered viscounties, with the command of the army, to the Duke of Burgundy, as the noblest of the Crusaders. He declined to enrich himself with the spoils of a brother-prince, or to undertake the leading of an army from which, having performed his vow, he was about to withdraw. The same offer was successively made to the Earls of Nevers and St. Pol, and by them in like manner rejected: when it was proposed to the more bigoted as well as more unscrupulously ambitious Simon, Earl of Montfort in France and of Leicester in England, who at once accepted both responsibility and remuneration.

Simon de Montfort's fidelity to his vow and to the Pope's commands during the perverted fourth Crusade, might have entitled him to be something more than the Legate's *pis-aller*, whilst his birth and position sanctioned the pretensions resting upon character. The de Montforts claimed to descend by females from Charlemagne; and, if their wealth had for some generations been very inadequate to their nobility, the last Earl, the father of the Crusader, had, by a fortunate marriage, more than recovered their former station. He had obtained the hand of the eldest daughter of the Earl of Leicester; and she, by the death of her only brother without children, had succeeded to his titles and estates. Her son, Earl Simon, whatever may be thought of him in the nineteenth century, was deemed by his contemporaries the very impersonation of chivalry. Tall and stalwart in person, handsome in face, with abundance of long flowing hair, he was active, vigorous, skilled in all martial exercises, valiant even to excess, whilst habitually prudent and persevering amidst difficulties; he is further represented as upright, devout, humble, eloquent and courteous. The friend of kings and of St. Dominic, he was a chosen arbitrator even when one of the

parties was his wife's brother. His liberality to the Church was limited only by his means, and his prodigality of life in the cause of his friends and comrades, of which an instance has just been given, insured him their attachment. But these fine qualities were not, as even his eulogists admit, without alloy. The savage cruelty and perfidy towards misbelievers, indeed, which in modern eyes counterbalance his best qualities, in those of his contemporary co-religionists, yet more enhanced their splendour; but they impute to him as faults, inordinate ambition, arrogance, vindictiveness, harshness, and an innate indifference, if not propensity to bloodshed.(85)

Upon the 22nd of August, de Montfort was installed Viscount of Beziers and Carcassonne, whilst Raymond Roger still pined in a dungeon. The detention so deeply offending the honest Crusaders was of brief duration. In the course of a very few months, at the early age of twenty-four, Raymond Roger died in his dungeon. The Albigenses affirmed that he was poisoned by de Montfort's order; and Barrau gives a melodramatic dungeon scene, in which Earl Simon himself deludes his captive into swallowing the fatal dose. No proof of murder is adduced; and, however frequently historical facts may deteriorate the a-priori-formed ideal of the mediæval chivalrous character, "an impersonation of chivalry" must not be branded with a basely atrocious, unproved crime. The accusation must, nevertheless, be allowed more plausible than most of those that have been named only to be rejected; since the rightful Viscount, idolized by his vassals, was a formidable rival, from whom an usurper must have longed to be freed. And now the chief princes of the Crusade, highly dissatisfied with the Legate's perfidious treatment of their unjustly despoiled brother prince, quitted the army, followed by the bulk of the Crusaders, who thought they had abundantly performed their vow.

But murderer or not, de Montfort's acquisitions had rather whetted than satisfied his appetite, whilst the Legates felt that, zealously as he enforced all edicts against heretics in his heretical viscounties, the Albigenses were still unsubdued. The spiritual Chiefs of the Crusade looked upon the Earl of Toulouse as a dissembler, and his

princely domains keenly stimulated the cupidity of the lay general. They jointly resolved to renew the attack upon the Earl, despite his submission and obedience; and, as their first move, required him to deliver up to them all heretics in Toulouse, threatening war in case of refusal. The demand being communicated to the municipal authorities, was answered by a solemn asseveration that all Toulousan heretics had long since been exiled, and the former Legate satisfied of the city's orthodoxy. The Earl transmitted their declaration to the Legate as his justification, adding the remark, that, if, after all his services to the Crusaders, he were still to be persecuted, he must appeal to the Pope. De Montfort and the Legate persisted; invaded and overran the principality with forces still sufficient for that purpose; and, when they found it impossible to prevent the proposed appeal, by their letters and misrepresentations prejudiced Innocent against their destined victim.

Raymond determined to make his appeal in person, and set out for Rome, carrying with him earnest letters in his behalf, not only from the French King—who, if pleased to see a too powerful vassal somewhat reduced, had no wish to destroy him, that another yet more powerful might take his place—but also from some of the Crusaders—as the Duke of Burgundy and the Comte de Nevers—who had been disgusted with the conduct and result of the war. They had felt religion desecrated into an instrument for enabling de Montfort to usurp Beziers and Carcassonne, and attempt the county of Toulouse. Such letters were not superfluous. Raymond found the Pope more prepossessed against him than he had apprehended; he was, nevertheless, admitted to plead his cause, and his statements, complaints, and arguments were fairly if not favourably heard. Nor, whilst he was struggling against prejudice at Rome, was his enemy undisturbedly enjoying his and his nephew's spoils. The King of Aragon refused to receive de Montfort's homage for the viscounties, encouraging the subvassals to throw off his yoke and proclaim the infant son of Raymond Roger, left to the guardianship of de Montfort's implacably bitter enemy, the Comte de Foix. Before the end of the year 1210, the whole of the con-

quered principality had risen against its conqueror. Through the Legates, de Montfort entreated the Pope to publish another Albigensian Crusade, which, by maintaining him in his new dominions, might enable him to eradicate heresy there.

The request was received at an unpropitious moment. The Palestine Christians were even then soliciting similar assistance; Innocent was again meditating the organization of such a Crusade as they asked, and, amidst the difficulties that thwarted his exertions, was beginning to discover the detrimental influence upon this main object, of having allowed the name and honours of a Crusade to expeditions comparatively insignificant, as that against the Livonians, and against Christians, if schismatic, as the Albigenses. Besides, he had heard Raymond's representations; and they corroborated his growing suspicion as well of the insatiable ambition that actuated de Montfort, as of the insane violence to which prejudice impelled his own Legates. He perceived that the Comte de Toulouse had been unfairly treated by those who coveted his dominions, and that he himself had been deluded by exaggeration and false colouring. This change in his opinions appeared in his acts. In person he now confessed the Earl; and in person, before the College of Cardinals, relieved him from excommunication, pronouncing him a good Christian. He ordered the restitution of the castles delivered up by Raymond to the Legate, as pledges of his orthodoxy; observing: "The Church does not enrich herself with the property of others." He then dismissed Raymond with marks of favour, such as the gift of a mantle, and a ring; but also with strict injunctions in all points to obey the directions of the Legates, and legally clear himself from the imputation of having instigated the murder of Castelnau. In case, however, of any differences arising between him and the Legate, he ordered such differences to be immediately referred to himself. The Earl's acquittal of heresy seems to have included that of the accused Toulousans.

The Legate Milo was dead; and Innocent, who had sent Tedisio, a Genoese Canon, to take his place, relied upon the impartiality of a new judge, who, moreover, had

his own instructions as to the mode of conducting the inquiry into the Earl's guilt or innocence. But Bishop Folquet and Abbot Arnold quickly infused their own prejudices into Tedisio; Raymond's vindication relative to the murder was evaded; and the terms dictated to him by the Legate,—who was engaged in active hostilities with the Albigenses,—were, that he must expel all heretics from his dominions, disband his troops, dismantle his fortresses, lay a tax upon his vassals for a tribute to the Legate, deliver up to him every individual he should point out as heretically inclined, inflict upon his nobles various petty vexations; and, having done all this, betake him to the Holy Land, there to serve amongst the Knights Hospitalers, till the Legate should please to recall him. His obedience was to be recompensed by the restoration of his dominions, at such time as should seem good to the Legate, and also to de Montfort, who was to occupy them in the interim.

Earl Raymond laid these conditions before his usual counsellors, his great vassals and the municipality of Toulouse, who unanimously declared they would die in the field rather than submit to such oppression. That this was his own opinion hardly need be said; and, with the cordial support of his people, most of whom, possibly, were heretics at heart, he prepared to defend himself and his principality. Whether he did, as Innocent had bidden him, appeal to Rome, and his enemies intercepted that appeal, or thought to appeal useless, disobedience to the Legate being virtually disobedience to the Pope, seems doubtful; but it is clear that no information reached the Holy Father, which could enlighten him as to the misrepresentations of the Legate. It is admitted by the most bigoted historians of this Crusade,(86) that Raymond was unfairly dealt with; that the Legate, suppressing his own extravagant demands, accused Raymond in his letters of disobeying the command to expel heretics and undertake a Crusade; and represented his war of self-defence as a rebellion against papal authority. Certain it, unfortunately, is, that Innocent, again deceived, confirmed the excommunication denounced anew by the Legate against Raymond, and sanctioned the war against him.

The King of Aragon, now again interposed, and, having a personal interest in the issue, more energetically than before. He had, since Queen Joanna's death, given a sister in marriage to Earl Raymond, and affianced another to the son the English princess had left him, Earl Raymond the younger. He appealed to the Pope, in behalf of his brothers-in-law, and seems to have, in some measure, again opened Innocent's eyes to the artifices practised towards him.

New Legates were sent, to investigate the points in dispute between the Earl and his accusers. But now a class-spirit prevailed; the new Legates imbibed the sentiments of those whom they were to supersede, and confirmed their statements. Innocent naturally believed the learned and uninterested ecclesiastics, selected by him for the duty of ascertaining the facts of the case, in preference to a royal libertine warrior, laudably prejudiced by affection for his sisters. He therefore charged Don Pedro to abandon the cause of his brothers-in-law, on pain of sharing their excommunication; and again sanctioned the Legates' warlike operations.

This war, waged in a French province, though against an Imperial vassal, and occasionally involving Imperial towns in the Arelat, may seem appertinent to the history rather of France than of the Holy Roman Empire. Under two aspects, it, nevertheless, presents itself as an integral part of the subject of the present volumes. It demonstrates the utter impracticability of Innocent's theory of the papacy, as controuling, and therefore responsible for, the government of Christendom. This has already been made manifest. Every circumstance characterizing the rise and conduct of the Crusade against the Albigenses, has shown this sagacious and active pontiff, completely deluded, hood-winked, and really made a cat's paw—if the colloquialism may be pardoned—by his delegates; upon whose reports he necessarily depended for the information upon which he acted. Under its second aspect, this Crusade is an important part of all mediæval history, as illustrating the intensity of theological hatred in those ages; reaching a point that rendered toleration something actually inconceivable. With this view, as an explanation

of, if not a sort of apology for, the treatment of the supposed enemies of God by the kind- as well as by the hard-hearted, a few incidents of the war must be related, painful as the task may often be.

The peculiar composition of the army that enabled Earl Simon to conquer the county of Toulouse must first be described. The component parts were constantly changing. Every year different French and German noblemen took the cross, raised their vassals, and hastened to gain the spiritual advantages of a Crusade by claiming their six weeks' feudal service against the French heretics. Amongst the rest, Leopold the Glorious, of Austria, strove thus to reconcile the Pope to his retaining his father's share of the ransom extorted from Richard *Cœur-de-Lion*; about which Innocent, probably, was less earnest now that the contemptible John, instead of the royal Crusader, was the claimant. These feudal Crusaders helped de Montfort to subdue districts which their early desertion left him too weak, with only the small body of mercenaries that he seems individually to have engaged, to preserve. Templars and Hospitalers were his most permanent and most trusted auxiliaries; and so decidedly did he feel this, that he always called a Knight of each Order to the Council that disposed of conquests. Nor was their individual prowess the only mode in which they strengthened the Crusaders. Their example excited emulation, and a new, imperfect copy of the Templars arose in Italy and the South of France, under the name of *Frati Gaudenti*, or *della Madonna*. These were laymen, living in the world, free to marry, and bound by no vows save two; *i. e.*, to do battle with infidels, heretics, and violators of justice, wherever met with, and to abstain from wearing gilt spurs, gilding their bridle, and the like,(87) during their service. The *Frati Gaudenti* were amongst the most useful members of the crusading army.

The incidents of the war to be mentioned, chiefly regard the treatment of prisoners. Marmande having surrendered by capitulation, the Crusaders, in direct breach of their leaders' plighted faith for the safety of the heretic garrison, massacred the whole. The unchivalrous pro-

ceeding shocked Earl Simon; and when Minerve was compelled to surrender, restraining the sanguinary piety of his troops, he offered the inhabitants their lives as the price of abjuring their heresy. Robert de Mauvoisin, the chief of a band of Crusaders, enraged at such weakness, exclaimed: "So shall we have them all dissembling Christianity! We came here to annihilate heretics, not to make hypocrites of them." But the Cistertian Abbot of Abbots, Arnold, thus soothed him: "Be of good cheer! We shall not have many converts." He judged well in the first instance, at least. With one voice warriors, citizens, and women, all refused to apostatize; whereupon de Montfort sentenced 140 of them, including many of the weaker sex, to the flames. The whole 140 ascended the fatal pile firmly, some even joyously, and were burnt to death. But the spectacle acted more powerfully upon the nerves of the survivors, than the fire itself upon the senses of the victims. Whilst these all died exultingly, professing their faith, the survivors returned to the pale of the Church.(88)

Upon the capture of Lavaur, Aimery de Montreal,who had conducted the defence for the Lady of Lavaur, was brought, with eighty noblemen, his comrades, before de Montfort, whose zeal for conversion seems, upon this occasion, to have been momentarily overpowered by a taste for destroying life; as he greeted them with: "Ye shall all be hanged!" The requisite number of gibbets soon stood ready, one, loftier than the rest, designed for the Commandant. This last, owing possibly to its unusual height, fell with Aimery, when de Montfort, to spare the time and trouble of re-erecting it, ordered his head to be struck off. The Lady of Lavaur he had thrown into her own draw-well, and in order to kill her fair fame with herself, he accused her of incest with her brother and her sons. Then, satisfied with slaughter, he offered the usual choice between death and apostacy, to the remainder of the garrison and the inhabitants. All chose martyrdom; and, more resolute than the Minervites, persevered in their choice. To the number of 400 they were burnt alive, amidst the joyous acclamations of the Crusaders.(89) The

troubadour historian says, the plunder afforded de Montfort means of paying his mercenaries.

Most of these transactions occurred whilst negotiations between the Legate and the Earl were still pending: whilst the latter still, perhaps, indulged hopes of a favourable result, from the intervention of the one or the other of his royal brothers-in-law; certainly whilst he was still endeavouring to conciliate the Legate and furnishing provisions to the Crusaders. During the siege of Lavaur, a final interview with de Montfort convinced him of the hopelessness of his efforts; and now, frankly breaking with them, he forbade his people to supply the markets frequented by the enemy. Towards the end of the year 1211, he withdrew to Toulouse. Bishop Folquet was there likewise, and in Passion week of 1212, sent him an intimation that he must, rather than a request that he would, absent himself from the city during these solemn days, to avoid preventing, by his presence, which virtually laid the place under an interdict, the celebration of the Easter rites of the Church. The answer of the offended Earl was a command to the Bishop to quit his dominions; and the prelate's rejoinder: "It was not the Earl who placed me in my see; I am canonically elected. Let him come, the tyrant! I am ready to drink the cup of suffering, to pass through death to the glories of Heaven! Let him come with his myrmidons! He will find me alone and defenceless. I fear not what man can do unto me." After this very gratuitous rant, since Raymond evidently meant him no harm beyond exile, Folquet remained some days unmolested in his episcopal palace: then, leaving Toulouse, he fled to the Crusader's camp, as though seeking shelter from persecution.

These are sufficient samples of the conduct of men who believed themselves to be especially engaged in the service of God. It must not, however, be supposed that *all* the cruelty was upon the side of the Crusaders. The bulk, indeed, was, because they were the successful party; most able to indulge their wishes; but Albigenses and Romanists were alike ready to inflict, as to receive, martyrdom; and the heretics, like their persecutors, slaugh-

tered and mangled such prisoners as fell into their hands. If they had comparatively little opportunity for the wholesale butcheries of Abbot Arnold and Earl Simon, they neglected none that offered, massacring garrison and inhabitants of any place that surrendered at discretion. Priests and monks were their favourite prey—a priest begging for mercy on account of his sacred office, was bid to show his tonsure in proof of his assertion, when the mortal blow was aimed at the shaven crown—but laymen were not spared. The Crusader Prince of Orange, being taken in battle, they flayed and cut to pieces. Happily, there is a gleam of possibility that a fatal wound, fairly dealt in the fight, had left only a senseless corse to be thus dealt with, but this is doubtful. The Albigenses stoutly defended Moissac sur le Tarn, one of their fortresses, repulsed an attempt to storm it, and in that repulse captured a nephew of the Archbishop of Rouen, who had brought to the Crusade a body of his church vassals. The besieged celebrated their victory by bringing their youthful captive on to the ramparts, and there striking off his head, which, together with his body, they flung to his uncle. In retribution of this foul deed, when the annoyances inseparable from a state of siege, and de Montfort's smooth promises induced the inhabitants to betray the garrison defending them into the hands of the besiegers, that garrison was one and all slaughtered, many of them with such tortures as the reverend crusading uncle could devise.

But worse than an occasional murder, or even massacre, is the perfidy that—as has been seen amongst the champions of Romanism—too often appears amongst the reformers of creeds and churches and their disciples. If, on the one side, the Bishop of Toulouse repeatedly betrayed part of his flock into the hands of their executioners, on the other, Earl Raymond, having reduced Pujol, a fortress of Earl Simon's, to extremities, prevailed upon the garrison, by swearing to spare all lives, to surrender. But no sooner were fortress and garrison in his hands, than, regardless of his oath, he ordered twenty-three of the principal persons amongst them to be hanged at the castle gate; which done, his people fell upon the remain-

der, and massacred them all, save one, who escaped to bear the tidings to his Lord. De Montfort was hastening to the relief of Pujol; and this wholesale butcher of heretics is said to have wept at the tale of his people's fate. So little, in those days, did revelling in the blood of God's supposed enemies prove insensibility!

Raymond's own brother, Earl Baldwin, being seduced to desert him, a Sire de l'Ohne, another deserter from Raymond to de Montfort, for some unexplained reason betrayed his fellow-traitor into the hands of the Comte de Foix. Baldwin was commanded by his captors, as he valued his life, to make Montluc—held against them by the Crusaders—surrender. Baldwin, with a firmness not to have been anticipated in the deserter of his brother, bade the besieged defend themselves, regardless of his fate. The crusading garrison so far obeyed him as to disregard his fate. They capitulated, bargaining for their own safety merely, without mentioning Earl Baldwin's; and it is some satisfaction to know that their selfishness availed them not. The Albigenses, with the total want of respect for granted terms displayed by both parties, hanged them to a man. Neither did Baldwin escape the doom he merited, but it was more legally inflicted. After lying awhile in prison, he was tried in the open air by a tribunal, composed of the two Earls of Foix, father and son, and some Barons of the principality. They found him guilty, and sentenced him to death; when the violent Earls of Foix, fearing perhaps, fraternal relentings on Raymond's part, took upon themselves the executioner's office, hanging him with their own hands to an adjacent walnut tree.

Of the battles fought in this war, two, those of Lesbordes and Muret, are worth particularizing from their great dissimilarity to modern engagements. De Montfort being besieged and hard pressed by de Foix in Castelnaudary, summoned his different corps and garrisons in all haste to his relief. They obeyed in separate bodies, directed, perhaps, to meet and unite when near the scene of action. De Foix had notice of their approach, and to forestall the danger of being overwhelmed by numbers, leaving his entrenchments, he marched with one division

of his army, in search of the nearest detachment; thinking thus to encounter and defeat each singly. With the first that he met he succeeded; but was, in his turn, surprised by more of these detachments, and defeated. Reinforcements were sent him from his camp, and after much hard fighting he again triumphed. But now his men fell to plundering the baggage of the vanquished; and de Montfort, who upon learning the danger of his expected corps had broken at all risks through the weakened lines of the besiegers, burst unexpectedly upon the disorderly victors; who, victors for the second time that day, were for the second time defeated; when again, de Foix's daring son, Earl Roger Bernard, came up with his cavalry, to change, for the fourth time, the fortune of the struggle. He routed de Montfort, and the twice vanquished de Foix was for the third time master of the field. The whole of this battle of Lesbordes, like many of its fellows, resembles a congeries of duels on a large scale. The father had, ere long, occasion to repay his son in kind. Roger Bernard rashly pursuing a body of the besieged, who had as rashly sallied and been beaten back, entered Castelnaudary with the vanquished, accompanied only by six comrades. Earl Simon assailed the small party; stoutly they fought and six fell. Still Roger Bernard fought on; possibly feeling the mode in which capitulations were observed no encouragement to surrender. But he was exhausted; a blow dealt by Earl Simon broke his shield from his arm, and his last minute seemed to be come, when the cry of "*De Foix à la rescousse!*" rang behind him. The father had burst in with a large body of his own men and recued his son.

The battle of Muret, almost as characteristic in manner as that of Lesbordes, was far more important in result, since it virtually ended the contest. The state of affairs that produced it will therefore require a few explanatory words. The increasing distress of the Christians in Syria, combined with the successful progress of the Crusade against the Albigenses, and some little mistrust of its leaders, determined Innocent to remove this, amongst other obstacles to a genuine Crusade for the recovery of

Jerusalem. He so far pronounced the Albigensian Crusade at an end, that he prohibited its being further preached, and prospectively cancelled most of the indulgencies granted for taking the cross against the heretics. This measure deprived de Montfort of the useful if transitory aid he had derived from the flights of gallant warriors who had successively joined him, as the easiest and pleasantest of penances, whilst about the same time the Earl of Toulouse was powerfully reinforced.

In the year 1212, Pedro of Aragon had, conjointly with the Kings of Castile and Navarre, gained the splendid victory over the Moors, known as the victory of *las Navas de Tolosa*, and still celebrated as a solemn festival by the Spanish Church. Elated with his share in this Christian triumph, Pedro deemed that his intervention in the character of a victorious champion of the Cross, at home and a resolute enemy of heretics, must be held entitled to respect; and he accordingly demanded peace upon reasonable conditions for the husbands of two of his sisters. The younger Raymond was now a principal in the war, the Earl having, upon the celebration of his marriage with the Aragonese princess, made the county of Toulouse over to him, hoping, as he was hitherto free from accusation, thus to preserve it to his family. Innocent listened favourably to his royal vassal; but again the misrepresentations of the passionately prejudiced Legate, and of the self-interested Simon, aided by the petitions of the Roman Catholic prelates of Raymond's dominions, to give them Simon for their Earl, prevailed, and no conditions that could be accepted were offered. And now Don Pedro, incensed almost as much at the Pope's disregard for his mediation, as he had previously been at his invincible refusal to cancel his marriage with Queen Maria, resolved—hatred for the mother perhaps impairing his regard for the son she had given him—that not even this only son's being in the hands of de Montfort, to whom, upon abandoning the cause of the Viscount of Beziers, he had committed him, either as a hostage or as a future son-in-law, should longer prevent his succouring his sisters and their oppressed husbands. He crossed the Pyrenees at the head of an army, estimated

by some writers at 40,000 men, by others at 60,000, made some trifling conquests on his road, and upon the 10th of September, 1213, formed the siege of Muret.

Muret was a strong fortress, which the Crusaders had, the preceding year, taken, through the casual result of an incident, again illustrative of de Montfort's best qualities. The Crusaders marching in its vicinity had found the Garonne much swollen, the bridge broken, and the water still rising. De Montfort with his knights and other horsemen, not without great difficulty and danger, forded the river. After safely housing themselves upon the other bank, they perceived not only that it was impassable for infantry, but that the infantry remaining upon the other bank was attacked by the men of Muret, whom an army of Toulousans had joined. The Garonne was now no longer fordable, even for horse, but de Montfort, in spite of all remonstrances and prayers, instantly urged his steed in, and swam back, followed by some half dozen men, to share the fate of his infantry, if he could not save them. The exulting shout raised when he returned to them persuaded their antagonists that the communication was somehow or other reestablished. Dreading, in that case, the numbers of the Crusaders, the conquering troops fell back and separated: the Toulousans who had come to defend Muret, if besieged, rapidly retreated to Toulouse, whilst the Muretans sought the protection of their walls. The communication between the two divisions of the crusading army was now really reestablished, and Muret, left to its own resources, speedily taken. De Montfort placed a small garrison there, and turned his arms against other towns still faithful to their hereditary Lord.

Raymond, now supported by Don Pedro, trusted to retrieve his losses; and they at once invested Muret, which was known to be insufficiently garrisoned. The second day of the siege they took the suburb by storm, forced their way thence into the town and drove the garrison into the castle. They seemed to be upon the point of mastering that likewise, when a report that de Montfort's banners were in sight got into circulation. The King, who though the auxiliary only, was, from his rank and the numbers he had brought into the field, really com-

mander-in-chief, though a daring soldier was a timid and unskilful general. He suspended the assault, hastening to the defence of his camp. It was a false alarm, the Crusaders being still remote; but the propitious moment had passed unused.

Earl Simon, when he learned the danger of Muret, was some eight hours' march distant, with a very small force about him. The highest number allowed him by any of his partisans is 270 knights, 540 men-at-arms, and 700 imperfectly armed foot. Incredibly few for the result, but the opposite party give him not many more. Even his boldest friends, whilst allowing that the loss of Muret must be the ruin of their cause, pronounced that, until reinforced, any attempt to relieve it would be insanity. De Montfort decided that, sane or insane, the attempt must be made. His wife, a high spirited Montmorency, who, upon one occasion, when he was nearly reduced to despair, had raised, and in person brought him reinforcements which gave him victory, now, alarmed, like Calphurnia, by a dream, strove to dissuade him from encountering odds so fearful. But he, exclaiming: "Leave such superstitious fancies to Spaniards and Provençals!" broke from her detaining embrace. He then hastened to church, and laid his sword upon the altar with this prayer: "Lord, unworthy as I am, you have chosen me to fight in your name: I take this sword from your altar, grant that fighting for your honour I may do so successfully."(90) From the church door he set forward for Muret at the head of his little band, and accompanied by the Archbishop of Narbonne, and the Bishops of Toulouse, Nismes, Usez, Lodeve, Beziers, Agde and Comminges, who still hoped to mediate a pacification—in other words, to persuade the King of Aragon to desert his relations, and the Earls of Toulouse to surrender at discretion.

The distance was marched, and de Montfort would fain have attacked the besiegers as soon as he saw them; but his captains all declared that the troops required rest after their fatiguing march, and the prelates demanded time to make overtures for negotiation. He gave way and encamped. Next morning he confessed, made his will, which he ordered, in case of his death, to be transmitted

to the Pope, for his sanction; and accompanied the prelates to church, to pray for victory. He then mounted, but at the bishops' entreaty again paused to await the still unreturned answer to their overtures. It came in the form of a taunt upon the smallness of their force, and he marched. Unmolested he traversed a defile where he had much feared to be overpowered; and passing a church, alighted and entered to give thanks for the escape. The morning had been tempestuous, but, whilst he was at his devotions, the weather cleared. His little band hailed the sunshine as an auspicious omen, and clamoured for the onslaught. But Simon and the bishops still hoped to separate the orthodox King from his heretical allies, and marched leisurely forward. The bridge over the Garonne was like the defile, unguarded; Pedro seeming to have thought such a handful of men undeserving of notice. Without interruption de Montfort entered the town, which the besiegers had left unoccupied, but he found there food insufficient for a single day's consumption. Again, therefore, the prelates made overtures, which again were answered with taunts.

Still all hope of negotiation was not given up, and now de Montfort made an offer, which, if made whilst the King was still in Spain, pressing his mediation upon the Crusaders, would assuredly have prevented his advance in arms. It was, conformably to the spirit of the command issued by Innocent, but revoked upon his Legates' representations, to restore his conquests from Earl Raymond; an offer so contradictory to the whole conduct of Earl Simon and to his character, as shewn by that conduct, and as received from the eulogies of his partisans, that to believe it sincere, is very difficult. The King and the Earl felt the difficulty insuperable, apparently; for, whilst the prelates were arranging a barefoot procession, to work upon the feelings of the favourite vassal and son of St. Peter; a storm of darts and stones upon the house in which they were assembled, returned a very intelligible negative to even this last, incomprehensibly liberal offer. De Montfort, trusting that all would prefer a battle against the most desperate odds to dying of hunger, now ex-

claimed: "Ye see it is hopeless; we must needs fight!" and all, with one accord, seized their arms.

As de Montfort, at the head of his troop, passed a church door, he heard the Bishop of Usez saying mass. Again he alighted, entered, and cried with a loud voice: "To thee, Oh Lord, I devote soul and body!" Then coming forth he was in the act of remounting, when his charger rearing, threw him off backwards. It is not easy to conceive the relative positions of besieged and besiegers, since the chroniclers seem to represent the Spaniards and Toulousans, as witnessing the accident, certainly as hailing it with shouts of exultation. Earl Simon remounted, crying to them: "Ye may scoff at me now! At the gates of Toulouse I trust to repay you!"

As he was drawing up his band, a knight who thought the numerical disproportion too formidable, advised him to count his men. He rejected the counsel, saying: "With God's protection we are enow;" committed the defence of the town to his infantry, and with his horse, of course reinforced from the Castle, went in search of the foe. The Bishop of Toulouse, a piece of the true Cross in his hand, stationed himself at the city gate, consecrating the warriors severally to heaven as they went through. Each knight as he passed, dismounted to do reverence to the sacred relic; till the Bishop of Comminges, alarmed at the delay this ceremony was causing, took the hallowed implement of benediction from his brother prelate's hand, and waving it over the whole troop, gave them in the mass absolution of all their sins, exhorted them to begin the fight in that faith which gives strength against all enemies, and promised Heaven to all those who should fall in the cause of the true Church. As his intentions became apparent, the warriors one and all made simultaneously a brief confession; forgave each other their offences, received the Bishop's audibly spoken collective blessing, and rode out exulting. The prelates sent another message to entreat the orthodox King to forsake the heretics; but hardly expecting an answer, they repaired to church there to pray for victory to their champions.

Far, indeed, was Don Pedro from yielding to their

entreaties. In such utter contempt did he hold de Montfort's small band, that he would not even listen to Raymond's advice to await the attack within their entrenchments, deferring a general action until the arrival of the reinforcements from Catalonia, expected the very next day. Leaving his infantry, consisting chiefly of Toulousans, to guard the camp, he led forth his cavalry to engage, without even troubling himself to array it for battle. His own station he took amongst the foremost, but was prevailed upon to exchange his well-known armour for that of a common knight, influenced in this compliance, rather by the idea that he should thus be more at liberty to indulge his pugnacious propensity, than by any desire to divert the attention of the enemy from himself to another.

De Montfort, a better general than Don Pedro, marched along the bank of the Garonne, at a distance from the besiegers' camp, thus at once avoiding the shafts of its defenders, and awakening a belief that he was retreating; until at the very spot he had previously selected, he suddenly turned and fell upon the disorderly mass of his foes. The battle is described as obstinately contested, but seems, nevertheless, to have hinged entirely upon the persons and prowess of the two leaders, the King and the Crusader Earl, raging only around them. Don Pedro pertinaciously sought for de Montfort, upon whose individuality he conceived the war to depend; whilst two of de Montfort's knights, Alain de Roucy and Florent de Ville, actuated by similar ideas, as pertinaciously sought the King of Aragon. Deceived by the exchange of armour, they attacked the royally attired knight. He fought gallantly; but during their unequal combat, de Roucy's attention was caught by the surpassing valiancy, the fearful strokes of another warrior, and he exclaimed aloud to his partner: "This is not the King!" The monarch heard the words, buried his spurs in his charger's sides, shouted: "Of a surety is he not, but here you have him!" and to prove his identity struck down with his battle-axe a knight who was pressing to their assistance.

Roucy and de Ville appear to have been so overawed by the royal prowess, that they felt, where Don Pedro was

a party, two to one became insufficient odds. They now collected a company of young knights, who, with them, looking upon the King's death and de Montfort's victory as convertible terms, concentrated all their efforts and energies upon this one object. The self-devotion of two determined regicides had failed; but against a brigade of their peers neither the equally self-sacrificing loyalty of Don Pedro's noblest knights, nor his own dreaded arm could avail. He sank under the blows of a troop of men who valued not their own lives so they could take his; and thus, upon the field of Muret, perished the victor in fifteen battles against the Spanish Mohammedans. The Herculean of frame, the handsome, the valiant, the generous, the magnificent, the joyous,—joyous over much, since it was even unto profligacy,—the troubadour king, once Innocent's especial favourite, and still, notwithstanding his manifold offences, viewed by him with indulgence, there fell, a victim to the Crusade, originating in bigotry, allied to, and fostered by inordinate rapacity; and the anonymous historical Troubadour remarks, that Christianity was lowered and shamed.(91) He was regretted not only by his friends and allies, but by all Christendom, as one of the most gallant champions of the Cross against the Crescent; and his falling in defence of heresy was generally pardoned, inasmuch as he only defended the heretics, because he could no otherwise defend his sisters and their husbands.(92)

After Don Pedro's fall, there was none to resist de Montfort, whose feats of arms rivalled the King's; but he was in danger of sharing his antagonist's fate even before that fate was known. The encounter of an Aragonese knight so nearly unseated him, that his stirrup broke, his spur got entangled in the housings, and he hardly saved himself from falling amidst the feet of the horses. Whilst he was recovering his usually firm seat the stroke of a battle-axe fell upon his head; and was repaid by a blow from his gauntletted hand that laid his assailant, with a shattered jaw, upon the ground.

But by this time the news of Don Pedro's death had spread through his ranks, and resistance was no more. The confederated earls were disheartened, and abandoned

the contest; the army, including the guard of the camp, fled in all directions. And now comes the most extraordinary part of the tale, which, but from the frequent recurrence of the like in the history of the middle ages, would be pronounced to be, as it seems, impossible. In this hard fought battle of hundreds against thousands, in which on each side was a champion depicted as, in personal prowess, a sort of Amadis, the victors are stated to have lost only one knight and at most eight men at arms, whilst of the vanquished 18,000 perished, principally, of course, infantry, cut down unresistingly in their flight.

When all was over, de Montfort desired to be conducted to the spot where the King had fallen. The body was already stripped by the human vultures that follow armies to prey upon the dead. But Earl Simon recognised him, and dismounting wept over his slain antagonist. Such tears, yet more startlingly unexpected than those shed for his slaughtered garrison, flowing from eyes that had gazed unmoved at more massacres than have here been even alluded to, must again be pointed out as irrefragable proof of the light in which atrocities that curdle modern blood are to be regarded, when practised, in the middle ages, upon persons deemed enemies of God. Don Pedro having incurred excommunication by his intercourse with his excommunicated brother-in-law, could not be buried in consecrated ground, until the prayers of another sister, Constance, Queen-dowager of Hungary, and Queen-consort of Sicily—of this hereafter —obtained that favour from Innocent.

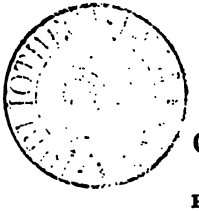
With the battle of Muret the Crusade ended. The Earls of Toulouse, father and son, fled to England to seek assistance from young Raymond's uncle, John; their Princess-Countesses retired across the Rhone, to the marquesate of Provence, which yet remained to them; and the vassal-earls, even de Foix himself, at the Legate's command, submitted to de Montfort. The bishops now demanded all Earl Raymond's lands and lordships for Earl Simon; and the Legate, after a momentary hesitation caused by the Pope's previously expressed disapprobation, invested him with the whole. Explanations and representations were sent to Rome. Innocent pronounced that

the Legate had exceeded his powers, not being authorized to interfere with rights of sovereignty; but at length, in consideration of the great services of de Montfort, and still reserving the final decision to himself, conjointly with the œcumenic Council, which he had summoned to meet in the year 1215, he granted him the provisional occupation of Raymond's patrimony. De Monfort thenceforward, with little regard to limitation or reservation, styled himself Simon, by the Grace of God Earl of Toulouse and Leicester, Viscount of Beziers and Carcassonne, and Duke of Narbonne.

He went on subjugating his principality, and at length Toulouse itself submitted to him; but he saw little prospect of enjoying it in peace. The King of France, who had not anticipated the complete destruction of his vassal and nephew, complained loudly of such a violation of his sovereignty, as disposing of a principality held in vassalage of his crown. Accordingly, Prince Lewis, who three years before had assumed the cross against the Albigenses, appointing Cardinal Robert de Courçon his representative, prepared, now the work was done, to perform his Crusade in person, by taking possession of the Crusaders' conquests as lapsed fiefs,—whether to grant them to him who had usurped them, might be doubtful. Nor did perfect concord now reign amongst the Crusaders. De Montfort's former friend, the Cistertian Abbot of Abbots, whose services had been recompensed with the archiepiscopal see of Narbonne, claimed the duchy of Narbonne as incorporated with the archbishopric. Earl Simon made head against this new adversary. He entered and occupied Narbonne, despite the personal opposition of the prelate, who now, excommunicating his late friend and ally, appeared inclined to support Earl Raymond against him. That sentence—by the potency of which, as an instrument of coercion, he himself had profited, to disregard the laws of God and man, in fact, all save his own will—de Montfort compelled his clergy so completely to disregard, as to perform the marriage rites for the union of his second son Guy, with the heiress of Bigorre, who was already married to the living son of the Comte de Roussillon et Cerdagne. By a mixture of immutable determination, overawing strength,

conciliation, and, probably, bribery of those about Prince Lewis, he ultimately got rid of the claims of the crown, got the better of all opposition, and, in spite of pope, king, archbishop, and Albigenses—who, if forced to dissemble, were anything but converted — he maintained possession of county and viscounty, doing homage for both to the French monarch.

Innocent, if still unconscious of the degree to which he had been deceived by misrepresentations, was, nevertheless, cruelly disappointed and mortified at the result of his exertions. Heresy was not extirpated; his legates, disregarding his positive commands, had despoiled a lawful prince, professing obedience to all papal injunctions, of his patrimonial dominions; and a royal champion of the Cross, a devout son of the Church, being involved by the ties of blood in the political portion of the quarrel, had been slain, nominally in the defence of heretics. Still he did not despair of retrieving all the errors committed, and accomplishing his object, the actual conversion of the Albigenses, could he but find the fitting instrument. This he now hoped that he possessed, in Dominic de Guzman, who, in 1212, had refused the bishopric of Beziers, to devote himself to the sole duty of converting heretics. And to him the Pope now wholly committed this office, as also the business of inquiring after heresy, wherever there was any suspicion of its existence. The first step towards the development of the Inquisition.



CHAPTER XIII.

PHILIP—OTHO IV.

Italy during the Contest for the Empire—Innocent's Regency in the Sicilies—Majority of Frederic Roger—Innocent at Rome—Papal Dominions—Broils in Northern Italy—Houses of Este and Romano. [1197—1209.

It seemed advisable, ere proceeding with the history of the Sicilies—now part of the dominions of the House of Swabia—to shew the multifarious concerns, duties, and interests, incessantly claiming the attention of Innocent during his regency of this kingdom. When the contents of the last five chapters are recollected, it will hardly be matter of surprise that he did not effect much for the realms temporarily committed, with their boy-sovereign, to his charge; though it may of regret, and perhaps of censure, that he thought proper to undertake such a charge. His partial failure is, however, only another example of the one great splendid error of this highly gifted pontiff, viz., believing that as pope he ought to do, and therefore could do, more than human powers are equal to achieving. The record of his proceedings proves that, here as elsewhere, Innocent was earnestly desirous to discharge his duty faithfully and efficiently; both public, as Regent—or Lord Paramount, for rather as such than in virtue of the Empress-Queen's will, did he assume the government — and private, as Guardian of the royal orphan. In the latter capacity, the pains he took to insure a good education, after the fashion of the times, to his ward, have been seen; and, happily endowed and organized as was the ward, it seems wonderful, that, amidst the disorders and distractions of both court and

country,(93) those pains should have been so amply repaid as we shall find they were.

As Regent he was less fortunate. Of the different factions—the German and the Sicilian, still contending with each other, as well as with the Papal deputies, for the royal authority, through possession of the young King, the Saracens and great Barons, still, severally, in rebellion against all these—the German, from the personally ambitious views that Markwald had betrayed, was, in Innocent's eyes, the most offensive. He has been charged with designing to publish a crusade against him.(94) None was published however; and surely a Pope of views so lofty, and piety so profound, is not without proof to be accused of desiring to pervert to objects altogether worldly, if he did to spiritual objects, other than recovering the birth-place of Christianity, the passionate devotion impelling his contemporaries to take the Cross.

In the midst of all these Sicilian civil wars, in the year 1200, yet further to complicate the confusion, civil and foreign—Pisa and Genoa were fighting for and occupying Syracuse—came a new claimant; avowedly, indeed, of only a small portion, but awakening distrust, as a probable future pretender to the whole. This was Gaultier de Brienne, who, deserting the Crusade, professedly but for a moment, repaired in arms to Rome, and averring that William III, the dethroned boy-King of Sicily, was dead, demanded as the heritage of his wife Albina, Tancred's eldest daughter—naturally her brother's heir—the county of Lecce, inherited by William from his grandmother, and the principality of Tarento, given him by his triumphant competitor, Henry VI. The demand troubled Innocent, whether suzerain or regent. Albina's right to inherit the private possessions of her deceased brother was unquestionable; but that brother had worn the crown of the Sicilies; and he dreaded almost equally either to introduce a sixth faction—that of a rival to his ward—into the faction-torn kingdom; or, by such gross injustice, as rejecting the lawful claims of the usurper s family, to provoke general enmity to that ward. The Holy Father endeavoured to obviate the evil consequences that he apprehended from an act of justice

which it was wrong, if not impossible to refuse. He required, preliminarily, from Brienne an oath of allegiance to King Frederic, sworn in presence of the College of Cardinals; and further, a specific pledge never to undertake, or join in any enterprise, injurious to him or his interests. Brienne, thus bound, was immediately invested with both principality and county. But possession Innocent could not give him: and, forgetting his promise to the Crusaders, he returned home to raise in France a troop sufficient to seize and retain Albina's now acknowledged heritage.

The Sicilian Council was less kindly disposed towards Tancred's family. The old Archbishop of Palermo, ever the staunch partisan of Constance, whose marriage and recognition as heir had been very much his work, dreaded the vengeance of her rival's daughter; and his apprehensions were shared by the Grand-Chancellor, Bishop of Troja. Nor were the politics of the Council altered in this respect by the death of the Archbishop, which soon afterwards took place; the Bishop of Troja, through the influence of himself and his colleagues, being immediately elected by the Chapter of Palermo. The Council unanimously and positively denied the Pope's right to dispose of Sicilian and Apulian counties and principalities. That Innocent was offended by this denial of the right he assumed, there can be no doubt; none that it would disincline him to extraordinary indulgence, in a case directly offending his principles, namely, the translation of the Bishop of Troja to the archbishopric. The good-natured Cardinal Cencio had, somewhat rashly, sanctioned the election which Innocent at once pronounced void. The Grand-Chancellor did not willingly or easily give up his metropolitan see, and a struggle ensued. But ultimately the victory was the Pope's. The Grand-Chancellor remained Bishop of Troja, whilst Brienne, with his French troops, made himself master of Tarento and Lecce; where, as long as he lived, he continued to be Innocent's active supporter.

And valuable was such a supporter to the Pope, whose regency has been seen as troubled as his pontificate. The tumults and revolts that broke out upon a report of his

death—a severe illness having really brought him to the brink of the grave—were indeed easily quelled when his perfect recovery was known. But the lull was only momentary. New troubles speedily arose, and even the death of Markwald—who, in 1202, sank under a painful, and then too difficult, surgical operation—had little or no effect in permanently allaying these disorders, though some in softening the ferocity of their character; Markwald having been distinguished for cruelty towards prisoners of war. Another German, Diephold Earl of Acerra, took the ex-Duke of Ravenna's place, and claimed the lieutenancy of Apulia, in virtue of the Emperor's will, produced by Markwald. The struggle for the young king's person and the fighting for portions of his realm were incessant. In the year 1204 Brienne defeated Diephold in a pitched battle, and in the elation of victory exclaimed that henceforward no German would dare to attack even an unarmed Frenchman. Within the year the boaster was surprised in his camp by Diephold, defeated in his turn, wounded, and taken prisoner, surviving only a very few days. At his death he left an only daughter; but the widowed Princess bore him a posthumous son, and immediately upon her recovery—if she waited so decorously long—bestowed herself and her principality upon a Conte di Tricarico.

Upon the loss of Brienne the Pope listened to Diephold's overtures. After some negotiation, the German, promising entire devotion to the interests of the Roman See and the commands of his Holiness, was relieved from excommunication. Thus restored to Christian fellowship, he flew to Palermo, to try his chance amongst the rest for possession of the royal boy and the helm of the state. He not only failed, but was made a prisoner by his rivals; erelong, however, he effected his escape from captivity, and returning to Apulia, renewed the civil war.

The young King, the prize for which all contended, had seen only seven summers, when Innocent opened a negotiation for his marriage. In this seeming precipitancy, he was actuated by two strong motives, superadded to his desire of complying with a wish, expressed by Constance in her last will. He was anxious to procure for the regal

child, a protector who could have no selfish interest interfering with the plans devised for the prosperity of his ward and his ward's dominion; and he was eager to recompense the King of Aragon's devotion to the papacy. He trusted to achieve both objects by selecting a sister of Don Pedro's, the bride whom Constance had indicated, for the consort of the very juvenile sovereign. The portion and dower were settled, and it was arranged that the Queen-mother should conduct the bride, her only remaining unmarried daughter, Sancha, to Palermo, and there act as Innocent's deputy in the regency, whilst superintending the education of the wedded children. She was to be escorted by a body of Aragonese troops, sufficient to protect the youthful bridegroom against both his turbulent subjects and his ambitious guardians. This plan was never carried into execution, and, when Frederic Roger did marry, the person of the bride was changed—Sancha had, pending this negotiation, become the wife of the younger Raymond of Toulouse. But, if a new bride were to be sought whilst the bridegroom was advancing, at least, towards a more bridegroom-like age, the matrimonial treaty remained unaltered, undisturbed, even by King Philip's plans for providing his royal nephew with a consort. The lady upon whom the German monarch fixed for his niece was the promised bride of his own rival, Otho, the sister of one of his accepted sons-in-law, Maria, daughter of the powerful Duke of Brabant, whom Philip was striving by all possible means to gain over from Otho to the Swabian dynasty, whether as represented in himself, in his nephew, or the son for whom he still hoped.

The negotiations lingered through all the disorders of Sicily and Apulia. Innocent, even when apparently upon the point of reconciliation with Philip, adhering to his own selection, professedly in compliance with the wish of the deceased Empress-Queen. Thus arrived the eventful year 1208, in which the royal uncle was murdered and the royal nephew entered the 14th year of his age. At this period of life, in the opinion of Frenchmen, Spaniards, and Italians, a prince possesses all the judgment, knowledge, and experience requisite for the government of his fellow creatures, and his minority accordingly ceases. Innocent,

in consonance with this notion, made his final arrangements for safely transferring the government to his ward. He held an assembly of the Estates of the continental provinces at San Germano, in which he appointed the Earls of Celano and Fondi, Lieutenants or Governors of those provinces, fixed the number of horsemen they were to send to Sicily for the King's service, and regulated other points of government. To this assembly young Frederic sent messengers, conveying to Innocent's brother, Conte Ricciardo di Segni, a grant of the county of Sora, which he, Conte Ricciardo, had conquered from Conrad von Marley, one of Henry VI's endowed German favourites, and of all the other fiefs he had torn from the hated Germans. Innocent, announcing the close of his own regency, and his surrender of the sovereign authority into the hands of his former ward, dismissed the assembly with an exhortation to be faithful and obedient to their young King.

To him the Pope delivered over the kingdom; not indeed free from intrigue, broils, and rebellion, or from the then usual concomitant of unsettled government, bands of robbers, but yet in a condition better than that in which he had received it from the deceased Empress-Queen, or than any in which he had seen it during his regency. Frederic's majority, young as he still was, had put an end to the most noxious contest, to wit, that for the regency: besides which, Markwald's death and Diephold's submission had terminated the most serious of the rebellions harassing his government; and, finally, the fierce resentment, provoked by the tyranny of Henry VI, blazing in full force when Constance expired, had now, in some measure, subsided. The claims advanced by the supreme pontiff against the Sicilian treasury, upon giving in the accounts of his administration, have been censured as exorbitant; and if, as is very probable, they were so, this is another proof of the degree in which Innocent laid himself open to imposition, by attempting more than any individual could accomplish.

Prior to resigning his authority the Holy Father had concluded the long-pending negotiation for his ward's marriage, substituting, for Sancha, her elder sister Con-

stance, Queen-dowager of Hungary, who, upon the death of her only child had returned to her native Aragon. She was necessarily several years older than Frederic, though still in the bloom of womanhood; and the Pope, perhaps, thought that the experience, she had perforce had of the perils and the difficulties encircling a throne, more than counterbalanced this objection; rendering her, to so very young a king, a valuable wife, capable of performing, in other guise, the office he had allotted to a royal mother-in-law. Constance was sent by her brother, suitably escorted, to Palermo, in February, 1209, when the marriage was immediately celebrated; but nearly the whole of her Aragonese escort is said to have died of the climate of Palermo during the nuptial festivities.(95) The bride's cousin, the Earl of Provence, who had accompanied her, was one of the sufferers.

Almost the first measure of the young King produced a momentary quarrel with the Pope; and it may be taken as indicative of the character, especially of the determination to resist encroachments upon his rights, that ultimately so embroiled him with the Roman See. He attempted to exercise, over the election of an Archbishop of Palermo, the influence that had always been enjoyed by his Norman ancestors. Innocent sternly admonished him that he was bound strictly to conform to the renunciation of that wrongfully obtained prerogative, and of other analogous pretensions in ecclesiastical affairs, which he, Innocent himself, had extorted from the maternal anxiety of the harassed Constance upon her deathbed. Frederic yielded—whether as a boy yielding to wonted authority, whether prudently, as feeling himself not yet equal to a contest with the Pope, must be matter of conjecture. No second cause of difference with his ex-guardian appears to have arisen.

The history of the rest of Italy must now be briefly brought down to the same epoch with that of Germany and the Sicilies.

The harmony between Innocent and the Romans was not of long endurance. The first interruption came from the Barons, who sought, if they could not get the sovereignty wholly into their own hands, at least to eman-

cipate themselves from papal authority. The citizens, always the ready tools of any and every ambitious demagogue, apparently mistook the clemency of their new pontifical sovereign, for weakness; whilst the demagogue's part was, upon this occasion, played by the Barons. They excited the people by assertions that Innocent encroached in a thousand ways upon the established municipal and popular rights, but especially in regard to the nomination and number of Senators, of whom the people preferred a body of fifty-six, popularly elected; which the Pope had changed to a single Senator, named by himself. Among the great Church vassals, the most decidedly hostile to the papal authority were the Poli family, and Giovanni Capocci, who boasted his descent from the Cornelii of ancient Rome. They assumed for themselves and their confederates the title of Good Men (*Buoni Uomini*) of the People.

Whilst Innocent was endeavouring by moderation, mildness, and charity, to counteract and stifle these intrigues and insurrectionary movements, an opportunity of conferring important obligations upon his mutinous subjects occurred in the year 1202. He did not neglect it. An earthquake felt, though unequally, in England, Italy, and Syria,—in the last-named country 200,000 persons are said to have fallen victims to this terrible convulsion of nature,—was followed by storms, so frightfully destructive, that again the end of the world was believed to be at hand. If the catastrophe predicted did not ensue, a calamity, the usual consequence of extensive ravages by such physical phenomena, did. The greater part of Europe suffered from grievous scarcity; Italy the most. Upon being apprised of the distress, which in Rome amounted to famine, Innocent at once left the enjoyment of his summer retreat at Anagni, and hastened back to his capital, to relieve the starving Romans. He ordered corn, at whatever price, wherever it was to be had, to be purchased, and sent to Rome. At his palace gates, 8000 persons received their daily rations; he sent provisions to the hospitals and other charitable institutions; and the necessities of those of a somewhat higher grade, whom a sense of self-respect

led to prefer any degree of suffering to the appearance of mendicancy, he caused to be relieved with a delicate secrecy that spared their feelings. In his sermons, and he was a frequent preacher, he earnestly exhorted those who had the means, as Christians to follow his example. Of one of these sermons a specimen has been given in the notes.

By such conduct Innocent recovered or won the affections of the Roman people; but constancy never was a popular virtue, and the effect scarcely survived the cause. Plenty returned, and the noisy flatteries of demagogues soon overpowered the still, small voice of gratitude. The first open symptom of this obliviscence of past benefits, was the active participation of the Romans, in direct contravention of the Pope's commands, in the feuds and insurrections of neighbouring towns, subject to the Church. But this was only a symptom of the power exercised over them by their noble leaders, and to abate the evil, it had become necessary either to destroy the baronial power, or to conciliate the Barons. Innocent adopted the latter course; and addressed himself to winning the Poli, whose embarrassed circumstances—their estates being so loaded with debt as to afford them a bare subsistence,—seemed to render them accessible. He asked the hand of Oddo di Poli's daughter for his own nephew, the son of his brother, Conte Ricciardo; who, in consideration of the marriage, discharged all the incumbrances upon the Poli property; thus relieving them from their pressing difficulties, by constituting himself their sole, and indulgent creditor. But the measure did not effect the purpose for which it was planned.

The transaction constituted Conte Ricciardo, in modern phraseology, mortgagee of the Poli fiefs. Whether he took any legal steps to benefit by the position, seems doubtful; but the Poli loudly taxed him with despoiling them of their patrimony. He proposed that, whatever complaint or claim they might have to make, should be laid before almost any judges they pleased; namely, before the Pope, the College of Cardinals, the ordinary tribunals, or arbitrators selected from either the nobles or the citizens; whilst Innocent, to avert suspicion of unduly

favouring his brother, supplied the adverse party with the money requisite to defray the expense of a law-suit. But plausible cause of complaint, not the redress of a wrong, real or imaginary, or the prosecution of an idle law-suit, was the object of the Poli. By the affectation of excessive devotion, combined with a caricatured display of poverty, they worked upon the ever excitable descendants of the stoical old Romans. In the attempt to get up an actual assault upon the Pope, whilst officiating at the high altar of St. Peter's, during Easter, A.D. 1203, they indeed failed; but they succeeded in causing him to be insulted, whilst borne in solemn procession as part of the Easter rites. Innocent showed himself impassible upon the occasion, but thenceforward did not for many years reside at Rome except as he thought propriety absolutely required.

And now, deserted by the Pope, Rome was again the theatre of such urban warfare, amongst the inhabitants of the same street or of adjacent streets, as was then customary in Italian towns, boasting any degree of self-government, in the intervals of their outbreaks against mesne lord or sovereign. When the time of chusing the single Senator approached, Innocent, who had again fixed his abode at Anagni, appointed a committee of twelve men, to whom he intrusted the nomination. The Romans hereupon mutinied, seized the members of the Committee, and, by imprisoning, constrained them individually to swear that they would elect fifty-six Senators instead of a single Senator, and all the fifty-six chosen should be Good Men of the People. This step immediately produced dissensions that rose so high as to sicken even the Romans; and they now prayed the Pope to return. He did so, and substituted a single Senator, Gregorio Pierleone, of the family of the anti-pope Anaclet, to the fifty-six. The new Senator was a good and amiable man, without either the address or the audacity that the times required; and the ringleaders prepared, taking advantage of his deficiencies, to carry their point by main force. Capocci rebuilt a tower, which adjoined his own residence, but had long since been thrown down. Pandolfo di Saburra, an ex-Senator, who had acted as

mediator in the recent broils, resenting this infraction of both law and compact, and supported by the friends of order, remonstrated; but in vain. He then raised an opposition tower upon an old ruin, so near to Capocci's mansion, that the attack and defence of the one must needs endanger the inhabitants of the other. Forthwith all stone towers were repaired throughout Rome, and where none existed, wooden ones were run up. Conte Ricciardo built an extraordinarily lofty tower, of the more lasting material; the remains of which are still to be seen, as the tower of the Conti. Ricciardo's kinsman, Pietro Annibaldi, built another to obstruct the approach to the Coliseum; from which the Frangipani were waging war upon him; whilst Capocci excited the populace to attack the fortress of the Pope's brother, which was, he asserted, built in enmity to their liberties. The tower of the Conti was successfully defended; not so Ricciardo's palace; of that the insurgents possessed themselves, and afterwards constructed a sort of redoubt in front of the Lateran itself. At length the violence of the ringleaders, especially against Annibaldi, who was much beloved and respected, alienated the great body of the people. They returned to their allegiance, and again the supreme power was in Innocent's hands.

He was now urged to embrace the opportunity of crushing his opponents; but replied, that he ruled as the vicegerent of Him who even in wrath forgot not mercy; and he used his superiority to endeavour to effect a cordial reconciliation. He rewarded and encouraged the reviving loyalty of the Romans, by indulging them with fifty-six Senators. For the investigation of the differences between his brother and the self-entitled Good Men of the People, he appointed arbitrators; who at the end of six months, if within that time the parties could not agree upon a compromise, were to decide according to law and justice. But this suited not the views of Capocci and the Poli. Openly they censured the Pope's measures, and underhand renewed their intrigues amongst the people. They flattered the vanity of the would-be Lords of the universe, by asserting that the fiefs, over which the Pope claimed the suzerainty, ought, in law and justice, to be held, not of

the Church, but of the city of Rome; and the Poli formally transferred their homage to the municipality. Innocent as formally protested against such spoliation of the Church; pronounced the transfer invalid, and the fiefs so transferred, forfeited by the attempt. He then publicly conferred these forfeited Poli fiefs upon Ricciardo, who might be said to have purchased them. But he, at the same time, impressed upon his brother the expediency of promptly agreeing to any proposal for an amicable compromise; whether by an exchange for other lands, or the redemption of the mortgaged fiefs by repayment of his advances. Capocci and the Poli, now very generally forsaken, ultimately accepted the Pope's conditions.

In various ways Innocent so augmented the papal dominions that he is sometimes called the founder of the popedom's temporal power. He employed the sums which his simple and abstemious habits enabled him to accumulate, in the redemption of towns and castles that his predecessors had pledged for loans of money, and in the purchase of others. He took advantage of the virtual suspension of the Imperial authority in Italy, during the contest for the Empire, to induce Spoleto and Ancona to acknowledge the sovereignty of the Church, and he recovered the would-be republic, Perugia. He strengthened himself by alliance with Tuscan nobles and cities, whose interests were identical with those of the papacy; encouraging as many of the latter as he could influence, to follow the example of their Lombard sisters; further obtaining a pledge from them never to acknowledge an Emperor, whose election the Pope had not sanctioned. Philip had sent Leopold, the Ghibeline Archbishop of Mainz—whose election Innocent had disallowed — to maintain his duchy of Tuscany in its allegiance. An army, circumstanced as he was in Germany, he could not spare him, nor yet money to hire mercenaries; and he relied principally upon a zeal and activity inspired by the disappointed prelate's resentment against Innocent, as his personal enemy. But the prelate was no match for the pontiff, who now revived the old claim to Sardinia and Corsica; less in virtue of Matilda's gift, than as recovered from the Moslem.

At Rome, the Senate of fifty-six—whose business seems to have been much that of municipal authorities in a regular monarchy, as, *e. g.*, the maintenance of public order, the inforcement of police regulations, and the administration of justice in minor cases—had exercised their office, as Innocent foresaw that they would, so negligently, —no one feeling personally responsible, and each trusting to the rest—that justice and peace seemed to have fled the land, leaving crime triumphant. So great, so general was the evil, that, in 1207, the Romans entreated the Pope again to appoint a single Senator. Gladly he complied, conferring the office upon an honest and able man; crimes were thenceforth punished, and tranquillity was restored. In the course of this same year, Innocent held, at Viterbo, what may be called an Assembly of the Estates of the Papal dominions, including the newly gained Matildan provinces. In this Assembly he required all the members, in the name of all their fellow-citizens, to do him homage as Lord Paramount; and he published divers laws, by which the Church vassals were to be governed. The chief of these were prohibitions, under pain of excommunication, of lay interference in ecclesiastical affairs, and of individual vengeance, in other words, of private war; aggrieved persons, of whatever condition, being commanded to seek redress from the regular tribunals. But from such legal protection, murderers, robbers, and outlaws, were excepted; upon them, every one, it should seem, being at liberty to execute justice. Throughout the Estates of the Church, Rome included, tranquillity was, at the epoch of Philip's murder, tolerably restored.

The state of Tuscany has been incidentally apparent, save as Sardinia may be held part, as a dependency of the marquesate. There, two of the Judges professed attachment to Pisa, whilst two declared themselves vassals of Genoa, and the Archbishop of Pisa claimed the whole island as a fief of his See. It scarcely need be added that incessant feuds raged. Innocent vigorously interfered. He pronounced that the Archbishop had no authority except by delegation from the Roman See, and commanded him to confine his intervention to ecclesiastical concerns. He summoned all temporal questions before

his own supreme tribunal, as Suzerain; and when the Judge of Gallura died, leaving an only daughter, the Pope, in the same capacity of Suzerain, asserted his right to dispose of the heiress in marriage.

Northern Italy had, during the contest for the Empire, been undisturbed by imperial claims to obedience in addition to allegiance. The Lombard League had been renewed in its full organization; and although those really independent, because powerful, republican cities, Venice and Genoa, confident in their own strength, stood aloof, very considerable nobles became members. Even the Ghibeline Marquess Boniface of Montferrat joined the confederation, possibly knowing himself too weak to cope with its enmity whilst there was no Emperor to protect him. But gladly had he seized the opportunity which the proposed command of the fourth Crusade offered, to withdraw from a connexion so repugnant to his feelings, as not only a vassal and partisan, but a kinsman of the Swabian Emperors. In fact, such was at this time the relative strength of the League and the Empire, that a Republic of Lombardy really might then have been established, had any portion of good sense tempered the intense individual selfishness prevalent in the councils of the League; had the actuating love of liberty not been of that aggressively, and meanly, ambitious kind, to which, being a member of a large republic, is as annoying as being a dependency of an empire. Each town wanted to be absolutely independent, the stronger to be likewise master of the weaker; and Milan, to be, what Rome once was, to wit, a republic, the despotic sovereign of all within reach.

Hence, no sooner was the external pressure, the dread of a mighty Emperor, which had rendered union indispensable to self-defence, removed, than vicinal rivalries and petty enmities revived. War broke out between Milan and Cremona, between Verona and Mantua, between Padua and Vicenza, between Modena and Reggio, between Ravenna and Ferrara, between Bologna and Mantua, in the Lombard League; in the Tuscan, between Florence and Sienna, and so on in both, through towns of inferior note. Innocent exerted himself strenuously to mediate

between foes, the more inveterate from their close affinity, geographical and social; whose union he deemed of vital importance, as a counterpoise to the imperial power. But not even in Tuscany could he succeed. Nor were these feuds of cities with each other the only interruptions to Lombardy's tranquillity. Within the cities themselves was discord; the inferior classes now beginning to contend sharply with the superior for the offices of magisterial government, and in some the contention ere long became as virulent as it was violent. But the evils consequent upon these incessant broils, were not altogether without compensation. The state of habitual excitement, produced by such a life of storm and tempest, prevented the energy which had generated alike the desire for independence, and the struggle that acquired it, and which had, in return, been fostered and strengthened by that struggle, from sinking into indolent security, enervated amidst the peaceful and luxurious indulgences, usually attendant upon accumulating wealth and undisturbed commercial prosperity. To that habitual excitement the world may probably be indebted for the poets and artists who presently arose out of this commotion of the social element.

According to some writers, these neighbourly feuds were in Italy most savagely waged, prisoners of war being often not merely insulted and ill-used, but actually butchered.(96) According to others they were almost bloodless, the object of the belligerents being rather booty than the gratification of hostile or vindictive passions.(97) These contradictory statements are not, perhaps, absolutely irreconcileable. The martial townsmen might not be bloodthirsty in the field, and yet treat their captives barbarously, either to extort a heavy ransom, or from private vengeance, even from temper, or that love of displaying and exerting power, which in children assumes the appearance of reckless cruelty. Abstinence from shedding blood is not, however, the usual characteristic of wars of rivalry; and it is hard to conceive that hostilities between inimical towns should be thus innocuous, when the sanguinary spirit of the broils amongst the fellow-citizens of single towns is proved by recorded facts; such as, that a monk, named Alberto, in the year 1207, traversing northern and

central Italy, to preach peace and good will, found at Imola twenty-seven, and at Ferrara forty-five murders to be atoned. A more likely solution of the difficulty may be, that those modern writers who sneer at the bloodlessness of the wars waged by the Lombard cities, are unwittingly casting over this pugnacious age, the hue of another, later, and but little later era, when Italian wars were chiefly managed, and wholly fought by *Condottieri*, whose respective armies were their stock in trade; who, uninterested in the quarrel, hired their human cattle out to either party; and, whilst eager for prisoners — always ransomed—forbore to injure their common business, or provoke retaliation, by killing each other's men.

But the spirit sustained by the stimulus of such feuds was insufficient to insure these municipal republics, against the almost invariable fate, sooner or later, of democracies; as were the spiritual weapons, wielded by the Pope, to repress their violence, or to clear them of heresy. In several even Guelph towns, persons lying under excommunication are found elected to the highest offices; whilst a Bishop of Belluno, and a Papal Legate are named amongst the victims of popular outrage; and heresy flourished amidst the allies of the Pope. During the ten years' suspension of Imperial authority, whilst Philip and Otho were struggling for the crown, not only were nearly all the weaker towns inthralled by the stronger, but in some of those stronger, enterprising individuals were already arising, who, either by force or by policy, under the apparently modest title of *Signore, anglicé* Sir, or Lord, or perhaps Dynast, speedily made themselves the unresisted tyrants of their, erst coequal, fellow-citizens. To enumerate these despots of single cities, most of whose races, through their own vices and follies, perished, politically if not physically, in the course of two or three generations, were to load a page with names which only an Italian antiquary could care to remember. Such of these ephemeral *Signori* as, during the period under consideration, exercised any material influence over the fate of their country, will appear, as required, in the course of the narrative. The houses of Savoy and of Este alone—those of Romano and Visconti though powerful were short lived—steadily went

on, increasing in importance, and acquired a permanent place amongst European rulers. During the greater part of the thirteenth century the house of Romano was the mightiest of the class, and a brief sketch of some portions of the history of both this family, and the rival dynasty of Este, which, at the epoch of Philip's murder, divided the Trevisan march with the Romanos, will abundantly illustrate the character of these Signori, generally the parricidal children of democracy, though neither of these two races deserved the opprobrious title. The latter both as having first risen to eminence, and been the more permanently great, must here take the lead.

The house of Este, which ranks amongst the ancestral of the Queen of England, was already, in the eleventh century, of sufficient dignity to obtain as a wife for its head a daughter of the mighty Welfs of Swabia and Bavaria. It then divided into two branches; and, whilst the eldest son of that marriage succeeded to his maternal uncle's high position in Germany, a younger son continued the line in Italy. The Estes appear, however, to have lost some of their possessions to Marquess Boniface, father of the celebrated Matilda; and not to have again attained to great importance, until suddenly enriched by a marriage, which they turned to their own advantage, in a way, even then unusually irregular. The way was this. Early in the twelfth century the Torelli—likewise bearing the name of Salinguerra, to denote, it is supposed, their warlike spirit—and the Adelardi were the two most powerful families of Ferrara, and constantly opposed to each other, though neither of them seems to have aspired to nominal dominion over Ferrara. In the last quarter of that century, the headship of the Adelardi was reduced to the childless Guglielmo—him who had compelled Archbishop Christian to raise the siege of Ancona—and, as future hope, there remained only a little daughter of one of his brothers, named Marchesella. Her, Guglielmo proclaimed the heiress of the Adelardi, and had had recognised as such. Upon his deathbed, in a generous wish to terminate feuds so injurious to his native city, where thirty-two fortified towers were ever ready to wage war for Adelardi or Salinguerri, he affianced Marchesella to the

heir of the latter, and delivered the little bride over for education to the father of her boy-bridegroom. But after Guglielmo Adelardo's death, the collaterals, connexions, and partisans of the family, grudging such an increase of wealth and power to their enemies, stole the little heiress from her intended father-in-law's mansion; and, in the year 1180, gave her in marriage to their friend Azzo di Este. Marchesella died in childhood, and her collateral heirs naturally claimed her property, inasmuch as not only there was no issue of the marriage, but, from the youth of both parties, it could as yet be but a ceremony. Azzo, to whom her estates had, somewhat imprudently, been at once made over, refused to restore them. The forty years of incessant feuds that ensued, in the course of which each party was ten times expelled from Ferrara, were still in progress in the first decade of the thirteenth century, but the Estes enjoyed throughout northern and central Italy the power and consequence derived from this immense accession to their domains. They thereupon had assumed the title of Marchese; and now obtained its ratification from the Pope. The head of the Estes had always, even when lord of only a few castles upon the Euganean hills, been esteemed the head of the Italian Guelphs; and, of course, now became more efficiently so: such he will be seen through the remainder of these volumes.

With respect to the rival house of Onara and Romano, that the second Ezzelino di Romano, surnamed the Stammerer,(98) was selected by the Milanese, as a man of high distinction, to share in the command of the army of the League, in one insurrection against Frederic Barbarossa, and subsequently to negotiate their reconciliation with their acknowledged sovereign, has been seen.(98) But it was his son, Ezzelino III—surnamed the Monk, because, when weary of the turmoil of his far from ascetic career, he retired to a monastery—who raised the family nearly to the zenith of its grandeur. He is no unimportant person of the age; and some incidents of his life are highly characteristic of the state of morals, manners, and public opinion in Italy, at the period in question.

This third Ezzelino, during his father's life, married Agnes, a daughter of the rival house of Este; she died in childbed, and he took for his second wife Speronella Dalesmannini. This lady had previously four times pronounced the nuptial vow; and for aught that appears to the contrary, notwithstanding the indissolubility, as a sacrament, of Roman Catholic marriage, three, if not all four of her husbands might still be alive to claim her. Of these four matrimonial engagements, only the first, with Giacopino di Carrara, was of the commonplace, orderly kind, and it is but justice to Speronella to say that, not by her voluntary act, was it broken. Her beauty so fired the passions of Conte Pagano, then Imperial Governor of Padua, that, abusing—as the Imperial Governors were charged with abusing—the too arbitrary power which, in this capacity, he possessed, he tore her from her lawful husband and made her—the perplexing part of the story—not his paramour, but his wife. From this compulsory state of sinful bigamy Speronella effected her own liberation; but, in lieu of returning to her proper husband, who might, indeed, refuse to take her back, she wedded a third spouse, named Traversario. This gentleman may possibly have left her a widow, for of him nothing more is heard; and she is soon afterwards found as the wife of a fourth husband, Pietro di Zaussano, from whom she eloped, to espouse the heir of the mighty Ezzelino di Romano. But she had now acquired, if innate it were not, a taste for change. Her new lord, upon his return from a visit to Olderico di Fontana, indiscreetly expatiated upon his host's hospitality, wealth, and personal beauty; the sculpture-like perfection of which had impressed him whilst bathing together. Speronella was enamoured through her ears; and now, reckless of the power of the Romanos, which she had been so ambitious to share, she fled from her fifth consort to plight her brittle faith to a sixth in Olderico, who seems to have unhesitatingly married the wife of his friend. Of this polyandrian lady no further mention occurs; it may therefore be hoped that as Olderico's wife or widow she ended her eccentric conjugal career. But her deserted lord's third marriage exhibits a

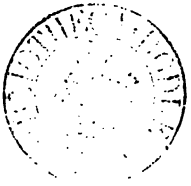
picture of the tone of Italian morality in the middle ages as loathsome if not as surprising as Speronella's matrimonial freaks.

Ezzelino the Monk's sister, Cuniza, Countess of Camposanpietro, communicated to her father, Ezzelino the Stammerer, the satisfactory intelligence that the hand of the great heiress of the province, Cecilia di Abano, or Baone, was promised to her eldest son, Gerardo. The information was not received as his daughter had anticipated. The knowledge that the Abano fiefs were to be brought into the family suggested to the Signor di Romano the idea that they might better add to the power of the house of Romano instead of enriching the heir of Camposanpietro, though his own grandchild. And Speronella's flight having left his son and heir again a single man, he at once acted upon the suggestion. He caused the heiress of Abano to be waylaid, seized and brought to Bassano, where she was instantly married to Ezzelino the son. But the disappointed suitor, Gerardo di Camposanpietro, did not tamely submit to the loss of his bride and her broad lands. If compensation he could not, vengeance he was resolute to have; and setting spies upon the movements of his new aunt, he surprised her upon a journey, by superiority of numbers overpowered her escort, and forcibly compelled her to submit to embraces, which but for his grandfather's act of violence, would have been lawful. Thus publicly dishonoured he sent her home to her husband. Ezzelino immediately repudiated this victim to the unbridled passions of the age, and what became of her does not appear.

As his fourth wife, Ezzelino the Monk espoused Adelaida di Mangone, which proved a more lasting as a more fruitful union than the others; Adelaida presenting him with two sons and four daughters. But his domestic felicity in the marriage, for which the outrage perpetrated upon Cecilia di Abano had made room, did not soften the offended husband's resentment against the Camposanpietros—for to the whole family he imputed the scheme—or shake his determination not to be insulted with impunity, even by his nephew. He took vengeance in kind. He seduced, or forcibly carried off Maria di

Camposanpietro, a near relation of Gerardo, and kept her openly as a concubine in one of his castles, until she had borne him a daughter. Then, retaining the child, he dismissed the helplessly wretched mother, to the infamy and misery he had designedly brought upon her. The enmity between the two families, so near akin in disposition and in blood, necessarily continued for many years, ever generating fresh crimes, and ever increasing in virulence. But one nefarious attempt, of which they might fairly be suspected, is more generally imputed to the Marquess of Este. In the winter of the year 1206, Ezzelino visiting Venice, to enjoy the pleasures of the Carnival, was disporting himself in the Piazza di San Marco, with eleven of his knights, clad exactly like himself, and all masked, when they were suddenly attacked by assassins; and one of the party, Buonaccorsio di Treviso, being mistaken for Ezzelino, was slain. The professional murderers who had struck the fatal blow, presently discovering their blunder, returned in haste to remedy it, by killing the as well prescribed, as the unintended. The Marquess of Este, who—whether casually, or as one of his friend and brother-in-law Ezzelino's party—was present, endeavoured, by throwing his arms about Ezzelino with a show of protecting him, really so to fetter his movements, as to baffle his efforts to defend himself. But Ezzelino broke from the treacherous embrace; his friends gathered around him, and the bravoes were overpowered.

At length the daughter of the unfortunate Maria di Camposanpietro grew up to womanhood, and advanced a claim to some portion of her mother's property. Negotiations upon the subject were opened, which terminated in a general reconciliation; general, that is to say, between the Romanos and the Camposanpietro descendants of the Romano family; for between the Romanos and the Estes all pretence of kindly sentiments seems to have been dropped, after the affair of the Piazza di San Marco; and the ill-will, usually existing between the heads of opposite factions, was again frankly avowed.



CHAPTER XIV.

OTHO IV.

Otho's Election—Fate of the Regicides—Otho's Measures—Coronation-Progress—Alienation of the Pope—Invasion of Apulia—Return to Germany—Marriage—Frederic invited to Germany. [1208—1212.

THE course of events in Germany, consequent upon the murder of Philip, may now be resumed. Of the two rival kings he alone had possessed any portion of the sovereign authority necessary to restrain the turbulence of their countrymen; which, imperfectly restrained at best, upon every interval of weakness in the controlling power, broke out anew, in general hostilities, and disorders of all descriptions. Upon Philip's death, therefore, even amidst the sorrowing of the Ghibelines and the general horror caused by the inexplicable regicide, such an outbreak occurred, threatening even unwonted calamities. The army, that he had assembled in anticipation of the end of the armistice, at once dispersed. All hastened home; the imperial vassals, either to plunder a neighbour, or to defend themselves against being plundered, as the case might be: the Swabian, Franconian, and other Hohenstaufen vassals, bent on appropriating fiefs that seemed open to the first occupant; since the only claimants were four little girls, destitute of a natural protector, and a boy, not much older, born, bred, and resident in Italy; whom none of the German friends and followers of his father had ever seen, or, since Philip's election, even thought of.

But Otho was roused to hopeful activity, by his formida ble competitor's unexpected disappearance, in the very prime of manhood, from the stage of existence. He

exerted himself energetically and successfully to excite the zeal of his own lukewarm partisans, to confirm the wavering, and to gain over such of the Ghibelines, as, being now without any especial object of political attachment, might prefer peace and tranquillity to a mere party triumph. So well was his brother-in-law, the King of Denmark, now satisfied as to his prospect of success, that he prepared to support him vigorously. And last, not least, by a repetition of his former oath to the Papal Legates, now including the explicit renunciation of every sovereign right that had ever been contested by the Roman See, and a promise of active assistance against heresy, Otho prevailed upon the Pope to resume his patronage of a Guelph Emperor. Innocent, whilst lamenting, no doubt sincerely, the fate of Philip, and strongly urging the prompt and severe punishment of the criminals, treated question of the double election as finally settled by the catastrophe. In letters to the German Princes, he vehemently protested against bringing forward any new candidate in opposition to Otho. Rather than expose the Empire to a repetition of the evils caused by the last double election, he declared himself willing to leave the pretensions of his beloved ward, the young King of Sicily, in abeyance. And he prospectively excommunicated any prelate who should presume to anoint or crown an anti-king.

In Germany, the clergy had grown weary of opposing the Pope. The Guelph-elected candidates for the archbishoprics of Mainz and Cologne were now permitted to take quiet possession of their respective sees, and divers prince-bishops gave ear to Otho's overtures. The Rhine-Palsgrave frankly sought a reconciliation with his brother, and to the utmost of his power promoted the interests of his house, by supporting Otho. Other lay princes gradually followed the example of the bishops; and the Swabian dynasty, even in its native land, and whilst a known heir of the elder line existed, seemed extinct in the death of Frederic Barbarossa's younger son, Philip.

A Diet was convoked to meet at Frankfort, in the month of November; and was more numerously as well as more brilliantly attended, than any that had been held since the

death of Henry VI. At this Diet, Otho, in consideration of divers concessions, public and private, to divers princes, spiritual and temporal, was unanimously elected King of the Romans. A course that confirmed, by recognising, Philip's election, that rejected Innocent's intervention, as unauthorized, and stamped Otho's former election and coronation with invalidity; thus invalidating likewise his previous acts, and making the support hitherto afforded him rebellion. The Bishop of Spires, upon this lawful election, delivered up the *regalia*, which had remained in his custody, to the now acknowledged sovereign; and then, introducing one of the little daughters of the murdered monarch, seemingly the third, Beatrice, the oldest of the unmarried sisters, in her name demanded justice upon the assassins of her father, and, indirectly, of her mother. The royal orphan was bathed in tears, and her simple childish sorrow touched every heart. The Diet unanimously declared that, were such a crime suffered to escape punishment, no man's life would be safe; and Otho naturally felt his own peculiarly endangered. The ban of the Empire was therefore denounced against Palsgrave Otho von Wittelsbach, Margrave Henry von Andechs (the Margrave's flight being taken as a confession of guilt), and their accomplices. And, as upon such an occasion no period of grace was allowed, the condemned were simultaneously outlawed and deprived of both dignities and possessions; fiefs and *allodia* alike, were pronounced forfeited, as also their heads, which the curiously expressive German technical form of *vogelfrei* might seem to assign to the birds of the air as their prey, although simply authorizing every one to act the hangman towards the *vogelfrei* individual.(100)

The confiscated dignities and fiefs of the criminals were disposed of upon the spot, and most of the Palsgrave's being allotted to his cousin, the Duke of Bavaria, to him was committed the execution of the decree. In performing his task, the Duke was obliged to level with the ground the Castle of Wittelsbach, whence his family derived their designation—but which had fallen, with the palatinate, to the younger line, when the elder obtained the duchy—building a church upon the site. The Castle of Andechs, the original seat of the Andechs family, was in like

manner doomed to destruction. The Bishop of Bamberg was judged as guilty as his brother; and, though no attempt was made to meddle with the person of a churchman, his bishopric was pronounced forfeited, and even the pope-ridden Otho IV seized upon his private property. But Innocent insisted upon the exemption of ecclesiastics from lay jurisdiction, and challenged, for his own tribunal, the investigation into the prelate's supposed complicity. He summoned all parties to Rome, to present themselves before his own judgment-seat; but neither accuser nor accused appearing, he delegated to the Archbishop of Mainz, assisted by the Bishop of Würzburg and the Abbot of Fulda, this official inquiry.

That the fate of Palsgrave Otho and his supposed accomplices may not interrupt the regularly connected narrative of events, they may here, if somewhat prematurely, be disposed of. And first, in regard to him of whose guilt no doubt ever could exist. Otho von Wittelsbach long wandered about, a miserable, destitute fugitive, to whom neither town nor castle would afford shelter. He was keenly pursued by the faithful adherents of the murdered monarch, and successfully tracked by Henry VI's favourite, Marshal Heinrich von Kalenten, or Kalden—said to have been an ancestor of the Pappenheim, so celebrated in the Thirty Years' war[101]—and by the son of the humbler and earlier murdered, Welf. They at length discovered him lurking in a barn, that belonged to the priory of Oberndorf, near Ratisbon; a house dependent upon the magnificent Abbey of Ebrach, in Franconia; one of the most splendidly endowed amongst the splendid mediæval monastic establishments. Whether he were there sheltered with the knowledge of the monks seems questionable; certainly they had not taken him into sanctuary. But how that might be, von Kalden and young Welf asked not; instantly striking off Otho's head, which they flung into the Danube. The mangled trunk remained an object of loathing abhorrence: until, long afterwards, the monks obtained permission to relieve themselves, by burial, from the annoyance.

In regard to the Andechs brothers:—the inquiry ordered by the Pope into the bishop's complicity occupied some time, and ended in his acquittal; Innocent thereupon

ordered him to be reinstalled in his cathedral. But, before this sentence was pronounced the good understanding between the Pope and the Guelph Emperor had been interrupted, and the monarch positively refused to restore the bishopric, of which, as vacant, he was spending the income. Nor did the prelate recover the see of Bamberg; till, at a later period, Innocent extorted that, with the ratification of the acquittal, from Frederic II, whilst papal support was evidently indispensable to the success of that prince's hard struggle for his patrimonial crown. The conduct of Bishop Egbert during his exile seems little calculated to awaken sympathy or produce conviction of his innocence. Even if he were not, as he was almost universally believed to be, the one of the brothers whose unbridled passions brought ruin upon their sister, the consort of Andreas, he sanctioned both the vices of him who was, and their sister's unwomanly complaisance. Queen Gertrude had, previously to the murder of Philip, offended the Hungarians, by persuading Andreas, not only to heap lay offices, including the waiwodeship of Transylvania upon the youngest brother, an ignorant profligate, but even to appoint him Archbishop of Kolocz, although not yet in Holy Orders. Innocent refused him consecration, but he retained the revenue of the see, as Administrator. When the Bishop of Bamberg sought refuge in Hungary, he is said to have conceived a sinful passion for the wife of the Ban of Croatia, and the sister is said, at the lover's request, to have invited the lady to the palace, inveigled her into a remote chamber, and there left her to the mercy of the enamoured prelate. To another Andechs brother, to the Margrave of Istria, has this certain crime by an uncertain criminal, been imputed; who, first flying to Italy, soon left that country for his sister's court;[102] but he made a very short stay there, and the general opinion of the world pointed to Bishop Egbert. Whichever were the perpetrator, the outrage to the purity of the victim, and the honour of the Ban, was avenged upon her whose sinful indulgence of a brother's lawless inclinations had afforded the opportunity. Not long afterwards, in the absence of the King, upon an expedition designed to conquer the Russian principality of

Halitsh, Queen Gertrude was murdered. Margrave Henry had merely visited his sister on his way to the Holy Land, where, for some twenty years he "fought beneath the Cross of God." At the end of this long Crusade he was allowed to return to Germany and resume his margraviate,(103) whether as being virtually acquitted in the Bishop's acquittal, or as having expiated his crime by his service in the Holy Land, is not clear.

To return to the Diet that sentenced this Otho, after electing Otho IV. It enacted several laws, amongst which the following deserve notice. One regulated the punishment of homicide, according to the manner in which it was committed; murder with a knife incurring death, as being stealthy assassination; killing with a sword, as an open attack, only the loss of a hand. The empire was pronounced elective, not hereditary; and an attempt was made to regulate the electoral right. It was now explicitly declared to be vested in, and limited to, those to whom it was, ultimately, assigned;(104) namely, the Archbishops of Mainz, Treves, and Cologne, the Palsgrave of the Rhine, the King of Bohemia, the Duke of Saxony, and the Margrave of Brandenburg. A curious selection, omitting the old national duchies of Bavaria, Swabia, and Lorrain, to say nothing of the new and powerful duchy of Austria, in favour of Slavonian Bohemia, and the patchwork, half Saxon, half Slavonian, margraviate of Brandenburg. For about a century, although this remained a kind of normal law, the individuality, and even the number of the lay electors, occasionally varied, as even in these pages will appear.

But although Otho—reported to have entitled himself King by the grace of our Lord the Pope—was thus unanimously elected, and was freely acknowledged by the Italian vassals and cities—in which last he confirmed most of Philip's officers—the old enmity subsisting betwixt Guelphs and Ghibelines, still threatened disturbance. Means of prevention were sought by all lovers of tranquillity; and at a Diet held at Würzburg, in May, 1209, some of the princes suggested, as such, the marriage of Otho to Philip's daughter Beatrice, who should bring him, for her portion,(105) the duchy of Swabia. To that duchy,

indeed, as though none of the original German duchies had yet been inherited by females, the Pope had, previously to laying down the regency, advanced a claim on behalf of his ward, the King of Sicily, as nephew to the last Duke, and sole male representative of the line of Hohenstaufen Dukes of Swabia. But, as the blood of Beatrice, rather than her portion, made the proposed nuptials desirable, and the family fiefs in Franconia and Swabia would still amply endow her, this difficulty seems to have been little regarded. That which Otho started was the consanguinity, she being his second cousin once removed, which must render such a union sinful. The Princes and Prelates thereupon invited the Papal Legates to a conference; and after due discussion and deliberation, the latter ventured again to promise a papal dispensation from this impediment.

Then Leopold the Glorious of Austria, an admired orator, rose, and as deputed by the whole Diet entreated Otho, in the name and for the sake of Germany, to contract this marriage; and if, notwithstanding the papal dispensation, he should still feel any scruples of conscience, to make atonement by building and endowing Cistertian cloisters, leading a Crusade for the recovery of the Holy City, and undertaking the especial protection, as well of the Church as of widows and orphans. To this the monarch answered: "So wise and weighty a counsel will we not gainsay. Let the damsel be invited hither!" The ten or eleven years old Beatrice was then for the second time introduced into the Diet. The Dukes of Bavaria and Austria conducted her to the steps of the throne, Otho rose to receive her, placed the ring of betrothal upon her finger, and then, kissing her as his bride, said: "Behold your Queen! Pay her due honours!" The assembly rejoiced at this union of the factions, whose mutual hostility had proved so detrimental to the empire; and the little bride was, together with her younger sister, committed to the care of her cousin and future sister-in-law, Palsgravine Agnes, of the Rhine, for education. But as the marriage could, from the tender age of the bride, be only prospective, the Swabians regarded the whole as a delusion, and the removal of the

two princesses from their patrimonial territories, as the final sacrifice of their ducal race to the detested Welfs.

Nor were these the only Ghibelines whom Otho, despite his betrothal to the Ghibeline heiress, alienated. He rewarded his own partisans, even his foreign supporters, with Philip's Hohenstaufen fiefs; and not with these alone; with others torn from the murdered monarch's staunchest friends. He disgusted all, Guelphs included, by the harshness of his temper and the roughness of his manners, unfavorably contrasting with the courteous mildness of Philip, in regard to whom Pfister observes, that "his benignity, generosity, courtesy, uprightness and piety, had won most of the Estates of the Empire." Even in the discharge of his kingly duties, Otho made enemies by the intemperate severity, not to say violence, with which he repressed the disorders mentioned as reviving upon Philip's death. But Otho, heedless of the ill-will he had provoked, thought only of hastening the preparations for his expedition to Rome, where he was impatient at length to receive the Imperial crown from the hands of his patron and ally, Innocent. He appointed his brother, the Rhine-Palsgrave, Regent or Imperial Vicar of Lower or northern Germany; the Duke of Brabant, with whose daughter he had just broken his engagement, Lieutenant of Lower Lorrain; and Rudolph Earl of Habsburg, Landgrave of Alsace, Warden of Upper or southern Germany. This, if the second appearance of the Habsburg family in history, being their first in any high political character, deserves the more notice, as the great importance of the office intrusted to the Earl Rudolph in question, grandfather of Rudolph the founder of the present Imperial dynasty, sufficiently refutes a somewhat prevalent idea of the grandson's utter insignificance, as if little other than a sort of knight-errant, prior to his election as Rudolph I. The princes who were to attend the Coronation-Progress were appointed to assemble at Augsburg, by the middle of August of this same year; and symptoms of the changes, gradually taking place in feudal relations, appear in the statement, that, except the princes of southern Germany, who were accompanied by 1500 knights with their men-at-arms and attendants, very few

discharged this once imperative duty; and the King of Bohemia even substituted money for himself and his men. To Augsburg, many Italian cities sent their keys with handsome pecuniary offerings, in acknowledgment of Otho's sovereignty; and at Augsburg many of the German poets of the day are said to have joined the armament, availing themselves of the opportunity to see the fair land of the South, and of classical reminiscences.

Before the end of August, Otho, passing through the Tyrol, had entered upon the plain of Lombardy; in the eastern portion of which, war was then raging between the houses of Este on one side, of Romano and Salinguerra—whose chief had married a daughter of Ezzelino the Monk—on the other. Azzo di Este—whom the Pope, to be beforehand with Imperial claims, had just invested with the march of Ancona—had taken advantage of a tedious as severe illness, long disabling Ezzelino, to wrest from him Verona, Vicenza, and Padua, and instal himself as Signor of Ferrara. But Salinguerra had since recovered Ferrara; and at the moment of Otho's appearance in Italy, Ezzelino, in restored health, was about to besiege Mantua in overpowering force.

Innocent, when he assisted Otho to carry his second and lawful election, admonished him to conquer his indolent negligence in business, and actively conduct the government of his empire; and in Germany, Otho, as has been seen, had exerted himself accordingly. He persevered in this course in Italy. Upon entering the Peninsula he charged Ezzelino di Romano to suspend his operations against Mantua, in order to attend him upon his Coronation-Progress, and the haughty Signor obeyed. He in like manner summoned Azzo di Este to attend him, and Azzo, to whom fortune was not just then propitious, gladly obeyed. Otho is highly praised for having, mindful rather of the duties of his high station than of the ties of kindred, received the two rivals with equal marks of favour. But his proceedings in their quarrel are given by old Chroniclers with an almost dramatic detail, well worth translating, or at least compressing.

Ezzelino publicly accused Azzo of threefold treachery:

1st, towards himself, specifying the attempted assassination at Venice; 2dly, towards Drudo, Podestà of Vicenza; and 3dly, towards Salinguerra; offering to make his words good with his sword. Azzo denied the charge, and refused to fight in the King's court, but accepted the challenge for any fitting time and place. Otho pronounced no decision between them, but commanded both to be silent. The next day, Salinguerra presented himself in the camp attended by 100 knights, at whose head he rode, as in taunting defiance, past the Marquess's tent. Then, throwing himself at Otho's feet, he repeated Ezzelino's accusation of Azzo, which he likewise offered to make good with his sword, when and where the monarch should appoint. Azzo, whilst again rebutting the charge, sought to evade the duel. Haughtily he said to Salinguerra: "Many men of better nobility than thine have I in my service, and some one of them shall fight with thee, if fight thou needs must." The wrath, which this speech kindled in Salinguerra, may be imagined; and fierce was the logomachy that ensued. It became necessary to call in Marshal Heinrich von Kalden—the avenger of Philip—with his Germans, to restore order, and conduct the antagonists to their respective quarters. For the moment, Otho only forbade any further mention of quarrel or duel.

But this was a mere temporary palliative, designed to give time for cooling. The monarch was bent upon effecting a reconciliation between them; and, with this object, one day when riding forth, he called the Marquess to his right hand, the Signor di Romano to his left. After proceeding some little way in this order, Otho suddenly said: "Lord Ezzelino salute the Marquess!" Unhesitatingly and respectfully Ezzelino obeyed; uncovering, bowed his head and said: "God save you, Lord Marquess!" the Marquess returned: "God save you, Lord Ezzelino;" but neither uncovered, nor bowed his head. Otho noticed the omission, and quietly resumed: "Lord Marquess, salute Ezzelino." Azzo repeated his words and the omission; and Ezzelino uncovered to thank him.

For the moment, Otho was baffled by the stubborn

arrogance of his kinsman; and all three rode on in silence, till they reached a defile affording room for only two abreast. Each of the adversaries appears to have more dreaded exposing his back undefended to the sword of an enemy, than allowing that enemy an opportunity of private conference with the King. Disguising their apprehensions under a show of courtesy, both fell back, each not only ceding to, but pressing upon, the other, the post of honour at the King's side, which each, as politely declined. Otho rode forward alone, and the two rivals, remaining together behind, fell into earnest, long uninterrupted discourse.

The King, surprised and somewhat uneasy at what he saw, upon his return to camp, sent for Ezzelino, and said: "Ezzelino, tell me truly, of what was thy talk even now, with the Marquess?" He replied: "My liege, we spoke of our former friendship." Otho, unsatisfied, persisted: "Spake ye not also of me?" "Assuredly we did," rejoined Ezzelino. "And what said ye of me?" again asked the suspicious King. Ezzelino answered: "We agreed that, when it so pleases you, no prince upon earth can compare with you in clemency, condescension, and virtue; but that you likewise can, when it so pleases you, be darker, harsher, and more terrific than any other living man." Otho apparently distrusted this report of the conversation; for dismissing Ezzelino he sent for Azzo, to whom he put the same questions, and received precisely the same answers. The crafty Italians had most likely perceived that it would be more profitable to unite for the purpose of extorting favours from the German sovereign, than to persist in their efforts to despoil each other, and concerted the account to be given of their conversation. However this may be, the Romanos, Estes, and Salinguerras were now publicly reconciled by Otho, at the cost of considerable grants to the heads of the three houses. The language in which the German monarch conversed with his Italian vassals, is said to have been that of the *troubadours*.(106)

This work accomplished, Otho proceeded to Milan, exercising there, as wherever he came, all the rights of sovereignty. Milan, enchanted to have a Guelph Emperor,

received him with enthusiastic demonstrations of loyalty. There the bishops and other Imperial vassals met him to do homage; and thither came the Doge of Venice, Marino Dandolo, to bid the new Emperor welcome to Italy, and request of him the ratification of old treaties and grants. From Milan Otho prosecuted his march southwards. He did not hold a Diet upon the plain of Roncaglia, but he appeased feuds, administered justice, and every where exercised the established rights of sovereignty. With some difficulty he conciliated the ever Ghibeline Pisa, and, in return for large concessions of privileges, obtained the promise of the use of her fleet when occasion should be. What was the meditated aggression for which he was thus providing means of transport, whether a crusade, the subjection of the Latin Constantinopolitan to the Holy Roman Empire, or an attempt upon Sicily, was unexplained.

Otho now left his army to follow leisurely, hurrying forward in impatience for an interview with Innocent at Viterbo. The Pope went forth in state to meet him; but welcomed and treated his now successful royal protegé with yet more cordiality than ceremony. The spiritual and temporal Heads of Christendom embraced, in presence of both courts and of a concourse of people, who "rent the skies with loud applause." Tears are said to have shown the feelings with which the pontiff beheld him—whom he had so long supported when his cause seemed desperate, whom he had once judged it necessary to abandon, merely making the best terms he could for him, —at length triumphant and about to receive the Imperial crown from his hand. Whether tears similarly bespoke Otho's gratitude is not said. He spent two days with the Pope, making all requisite arrangements for the approaching ceremony, after which he rejoined his army, to enter the Eternal City at its head. The Holy Father preceded him thither, to make his own preparations for the grand occasion.

But not even perfect harmony between the Pope and the Emperor could insure an untroubled coronation. The King of France had remonstrated against conferring the Imperial crown upon his personal enemy, Otho, and

the Cardinals of the French party formally opposed the act. So did the Roman municipality, offended at not having been consulted; and the Pope's own nominee, the Senator, in order probably to be in unison with his humbler brother magistrates; whilst the Roman populace, ever ready for commotion, scarcely needed cause or pretext for a riotous outbreak. If the latter were wanted, a visit which some Germans paid the city, during one of the four days that Otho lay encamped without the walls, prior to his coronation, furnished it. A quarrel broke out between them and the Romans, of which the cause is unknown, but in which several Germans lost their lives, and the Bishop of Augsburg, one of the visitors, was, to say the least, very roughly handled.

The ceremony itself, performed upon the first Sunday of October, passed quietly enough; thanks, partly to the innate and hereditary passion of the Romans for every kind of show, partly, to anticipation of the banquet given by the Emperor upon his coronation-day, to the whole population of Rome;([107]) and partly—should it be said chiefly?—to the money scattered by Otho's orders, according to custom, amongst the crowd. But with the causes ceased the effects. The imperial banquet was eaten, and the imperial liberality is said to have fallen short of Roman expectation. New quarrels broke out between the rough northern strangers, and the arrogant would-be masters of the world; and so likely was this to be the case that the fact hardly needs the explanation suggested—viz., that the former helped themselves to what they pleased in the shops, refusing to pay for anything, whilst the latter demanded exorbitant prices for every trifle. In these quarrels many on both sides were slain. The number of men killed is not stated; but the horses, lost by the Germans, Otho is said to have estimated at 1,100; for which he claimed compensation from the Pope. This the pontiff refused; and advised the Emperor to prevent the recurrence of such broils by withdrawing from Rome and the *Campagna*. Otho in his turn refused; but erelong scarcity of provisions for his little army enforced compliance.

This dispute about compensation for losses in the

Roman disorders, has, by some writers, been considered as the sole germ of the subsequent dissensions betwixt Innocent and Otho, of which others avow themselves unable to divine the origin. But that germ may be conjectured to have lain deeper, even in their relative positions;—that an Emperor should remain a Guelph was impossible. No sooner did Otho cease to depend upon papal protection and assistance; no sooner, in short, was he undisputed Emperor, than he felt, as his predecessors the Swabian and Franconian Emperors had felt, respecting Imperial rights and Papal encroachments thereon; and those rights, regardless of all previous oaths to the contrary, he forthwith proceeded to exercise. One of his first measures was, to assert his Imperial sovereignty over the march of Ancona, by formally investing Azzo di Este with that province, already granted him in vassalage by the Pope. Innocent would of course be startled and offended by the act; but it being merely a confirmation of his own grant, and his confidence in the Guelphism of the Marquess too entire to be shaken by his accepting, or even by his seeking, such an Imperial sanction of the Papal grant; he contented himself with protesting against this first invasion of Papal rights by the newly crowned Emperor, without stronger opposition. Others, more offensive, followed.

Otho next consulted jurists touching the Imperial claim to whole of that Matildan heritage, which he had, when Papal protection was indispensable to him, so solemnly and explicitly sworn to surrender to the Roman See.(108) The answer was, that to such surrender he could not be bound by an oath taken in ignorance of the real state of the case; whilst, to maintain, not sacrifice, the rights and possessions of the Empire, was clearly his duty. He, in consequence, entered and occupied one district after another. Innocent remonstrated in vain. The Podestàs and other magistrates, with the people ever desirous of change, all joyfully acknowledged the Emperor, instead of the Pope, as their liege Lord; the habitual absence of the former from Italy, and engrossment with other affairs, being his chief recommendation. Otho now invested Diephold, the German Earl of Acerra, with the duchy of

Spoleto, and Salinguerra with two Matildan fiefs, Argelata and Medicina.

Thus far, Otho, if violating the oath by which he had purchased Papal protection, was only inforcing claims, invariably asserted by his predecessors, and founded in justice; since no fief could be lawfully alienated without the concurrence of the feudal superior. Much the same may be said of his refusal to suffer Papal interference in temporal affairs; and he endeavoured to atone for the ungracious form in which he is reported to have clothed that refusal: "In temporal concerns I have full power, and it is not for you to judge therein:" by promises of co-operation in the crusade then fiercely raging against the Albigenses.[109] But his next act was one of positive aggression altogether unjustifiable, and this completed the breach with the protector to whom he mainly owed his crown.

Upon the bold assertion of his lawyers, that all the estates of the Church had been dismembered from the Empire during periods of weakness, Otho seized upon Orvieto, Perugia, and other places long acknowledged part of the Papal dominions. Innocent now remonstrated more forcibly. He wrote to Otho: "It is to the Church that thou owest thine exaltation! Strive not against her rights and power, forgetful of the gratitude which is her due; forgetful of Nebuchadnezzar, who, arrogantly confident in his temporal power, was transformed from a man into an ox, and eat hay like a brute beast! In later times thy predecessor, Frederic Barbarossa, is before thine eyes. In his own person and in his son's, was he punished for his oppression of the Papal See, and, like the children of Israel, was he judged unworthy to set foot upon the promised land!" Otho heeded not the spiritual menace; in his answer he again denied the Pope any voice whatever in temporal affairs: because, "they who administer the sacraments must not preside over tribunals of blood!" and thus concluded: "If the Pope will perforce keep the property of the Empire, let him absolve me from the oath to preserve that property, which he himself required of me at my coronation!" But, less careful of the Imperial dignity than of territory, he gave way, seemingly from sheer indifference, to one assumption of Papal superiority,

which Frederic Barbarossa had so resolutely and so successfully resisted; namely, the Pope's addressing him in the familiar second person singular, whilst he used the respectful plural in addressing the Pope.

Otho next advanced a claim to the Sicilies, whether as having been torn from the Holy Roman Empire by the Normans, or as lapsed fiefs upon the extinction of the direct male line of Norman kings, at the death of William II, may be questionable. He was encouraged to attempt the conquest of these realms by Apulian malcontents, amongst whom appears a strangely confused blending of parties and factions, previously inveterate in hostility to each other. Whilst the turbulent Neapolitans and Capuans expelled the officers of their lawful governor, Conte Celano, he, although appointed by the Pope, united with the Pope's former enemy, the German Diephold, and others of less note, in tendering their assistance to the Emperor for the enthralment of their native land. Nor were less striking changes apparent at Rome, where Innocent complained to the Ghibeline Adolph von Altenau, the deposed Archbishop of Cologne, of the ingratitude of that very Otho, for opposing whom he himself had excommunicated Adolph, and deprived him of his see. It should seem, indeed, that the wrath which Adolph's election had originally awakened in the Pope, had been so materially allayed by the prelate's submission, that, upon the entire change of his own sentiments towards Otho, he could frankly receive the deprived Archbishop into favour: he now restored him his proper rank in the hierarchy; but the archiepiscopal principality was not his to restore.

In November, 1210, Otho crossed the Abruzzan frontier. The Sicilian disorders were not yet sufficiently appeased to allow of the young King's raising insular troops for the defence of his continental realm, or even of his quitting the island in person to arouse the Apulians to defend themselves. The invader, therefore, joined by the traitors who had invited him, overran half the Italian provinces without opposition. Aquino alone offered any resistance; but so resolute was this resistance, that Otho raised the siege, and led back his army to Capua, where

he took up his winter quarters. Hence he carried on negotiations, previously opened, with traitors in Sicily; where the mountain Saracens, fearing in Frederic a dependant upon the necessarily intolerant Pope, would gladly have welcomed any other ruler in his stead. Whilst these intrigues were in progress, the Pisan fleet, summoned by Otho to fulfil the engagement made during his progress, anchored off the little island of Procida, there waiting to transport him and his army to Sicily.

But there were still several provinces to be conquered in Italy, ere the Emperor could attempt the island; and early in the spring of 1211 he proceeded to take this preparatory step. Frederic being still necessarily detained in Sicily, and, perhaps, relying in some measure upon the exertions of his ex-guardian, Otho speedily mastered all except Otranto and Tarento, to which cities he laid siege; but whilst so engaged a cloud overshadowed his prospects. Frederic's trust in Innocent was not idle. The Holy Father, weary of fruitless expostulation, indignant at this reiterated invasion of Church property and of the dominions of a Church vassal, resolved no longer to treat his ungrateful protégé with forbearance, but use the powers committed to him, both for the maintenance of the long claimed and often acknowledged Papal supremacy over the Sicilian realms, and for the defence of his ex-ward, the young King of Sicily, from oppression. He now solemnly excommunicated the Emperor Otho; or, if he had hurled the church thunderbolt the preceding autumn—which, strange to say, seems uncertain[110]—he now reinforced it by repetition. He commanded the Patriarchs of Aquileia and Grado, and the Archbishops of Milan, Genoa, and Ravenna to publish the sentence throughout the northern portion of Italy; and, in virtue of his pontifical authority, enjoined all men to forsake the anathematized monarch. He gave a similar commission for Germany, to the Archbishops of Mainz and Magdeburg; and further ordered them, after dispensing with all oaths to Otho, to proceed to a new election: surely again overstepping his own distinction between Papal authority and temporal or sovereign power, how just soever his wrath.

Innocent next called upon the King of France to assist him against Otho, wrongfully entitling himself Emperor; and gladly did Philip Augustus embrace the opportunity of making war under such auspices, upon his old enemy, Otho, towards whom he nourished sentiments of especial animosity. He hated him, not only as the nephew of his hated rival, Richard, and of John, whom he had plundered, but as having given him personal offence; an offence, the puerility of which did not lessen the acrimony of the hatred, thus engendered. The story goes, that Otho, whilst yet a boy, having accompanied his uncle Richard to an interview with Philip, the latter gave a slighting answer to the English King's inquiry, what he thought of his favourite nephew. The uncle was nettled, and rejoined: "The day may come when you shall see Otho Emperor!" "When I do," Philip sneeringly retorted, "I will make him a present of Chartres, Orleans, and Paris!" Impetuously Richard cried: "Dismount, Otho, and give his Grace of France thanks for so magnificent a present!" Otho, the boy, obeyed; and Otho, the Emperor, sent an embassy into France, to receive the promised gift. When reminded of his promise, Philip Augustus said, that it had referred to three puppies so named, who, now old dogs, were much at his Imperial Majesty's service. The rebound of this silly jest may have gone far towards securing to Otho's rival a useful ally.

In Germany, Archbishop Siegfried, whom Innocent and Otho jointly had forced upon the Chapter of Mainz, now when his patrons jarred, zealously assisted his ecclesiastical against his lay benefactor. He held Diets at Bamberg and at Nuremberg; and if he could not prevail upon the princes who attended them literally to obey the Pope's injunctions, and proceed to a new election, he secured to the King of Sicily active supporters, in the Archbishop of Treves, the King of Bohemia, the Dukes of Bavaria and Austria, and the Landgrave of Thuringia. The Guelph Archbishop of Cologne adhered firmly to Otho, even refusing to publish the excommunication; whereupon Siegfried, with Innocent's concurrence, deposed him, and reinstalled Archbishop Adolph. The offence, given by Otho's habitually rude manners, now told against him,

and his throne tottered, although Palsgrave Henry and the Duke of Brabant raised an army in his behalf, with which they invaded and fearfully ravaged the Mainz principality. Civil war was thus again enkindled. But, the devastation of his dominions, instead of vanquishing the party in its leader, by exasperating the prince-prelate, may, without any want of charity, be conjectured to have increased the energy of his opposition to the Emperor. He, and the princes confederated with him, now resolved to invite the last scion of the Swabian dynasty, Frederic Roger, King of Sicily, of whose existence they had hitherto seemed well nigh unconscious, to join them in Germany, and there claim the crown of his ancestors. For the bearers of their invitation and professions of loyalty to the court of Sicily, they selected two hereditary vassals of the Dukes of Swabia, Anselm von Justingen and Heinrich von Neuffen.

Otho, meanwhile, lord of Tuscany, of most of the Papal dominions, and of nearly the whole of what was afterwards called the kingdom of Naples, was about embarking in the Pisan ships, to invade Sicily, when tidings of the proceedings in Germany, consequent upon his excommunication, arrested his career of conquest. He felt, that yet greater interests were at stake, north of the Alps than south; and prepared to return with all convenient speed. The first result of this resolution, was the loss of every acquisition in southern and central Italy. In Lombardy he paused, to insure to himself, as he hoped, the continued support of the steady antagonists of the Swabian Emperors. At Parma, and the once loyal Lodi, he, in January, 1212, held Diets of his strangely mixed party; and, in these, he retaliated his excommunication, by laying four Ghibeline cities, Genoa, Pavia, Cremona, and Ferrara, under the ban of the Empire, together with the Guelph Marchese di Este. Against him, he moreover set up a rival Marquess, in the person of his youthful uncle, Bonifazio di Este, the son of Azzo's grandfather, by a second marriage contracted in old age. He named Ezzelino di Romano, Podestà of Verona; courted the favour of Milan during a fortnight's residence there; and that of divers other towns and divers vassals, by the abrogation

of tolls and duties, and the redress of vexations imputed to Imperial officers. Having thus, he trusted, secured friends to oppose the passage of his dreaded rival, he crossed the Alps in the depth of winter, laden with plunder, and with the curses of the Church.

Otho's early arrival in Germany took the Ghibeline party, who had as yet no answer from Sicily, by surprise, and greatly encouraged the Guelphs. The Duke of Bavaria, at once changing sides, joined him, with the Dukes of Zäringen and Lorrain, and the Margraves of Brandenburg and Misnia. In the Whitsuntide Diet, held at Nuremberg, Ottocar of Bohemia was deposed as a rebel, and his kingdom transferred to his eldest son, Wenceslas, nephew to the Margrave of Misnia. Otho won the Templars by large promises; King John sent him a supply of English money: some of the Ghibeline Princes of the Empire resented the Pope's assumption of the right to depose an Emperor, even though exercised to free them from a Guelph; and the vassals of other Ghibeline Princes, who excused the assumption in consideration of its object, rose against their mesne Lord in Otho's favour. In all directions the Imperial cause looked promisingly. In the civil war, to which Otho's endeavour to maintain himself upon the throne gave birth, a new military engine, called the *dreibock*, or triple ram, is said to have been, for the first time, employed in Otho's army. An engine, the force of which seemed so wonderful to contemporaries, as to have induced in modern Germans a suspicion, that its motive power must have been gunpowder. But no just ground for this idea is stated;(111) and in fact the power of the *dreibock*, which was insufficient to give Otho the victory, would seem to be much overrated. He so devastated the Archbishopric of Magdeburg, however, that it gave birth to a popular saying: "As by one Emperor Otho and one Archbishop Albert the See of Magdeburg was founded, so by another Emperor Otho and another Archbishop Albert would it be destroyed." But such destruction of the land over which he aspired to reign, was the limit of Otho's success.

He was now advised to conciliate, and at least divide

the Ghibeline party, by the immediate solemnization of his marriage with Beatrice, notwithstanding the still tender age of the bride. For this purpose a Diet was summoned to assemble at Nordhausen, in the beginning of August; and upon the 7th, with all the splendour of which circumstances admitted, the nuptials were celebrated. For a moment the end appeared to be attained. The most zealous adherents of the Swabian dynasty began to waver, touching the propriety of dethroning the husband of King Philip's daughter, and with him the future heirs of the blended races, to be hoped from this union, in favour of an unknown boy, the king of a distant land, a vassal, and probably a creature of the Pope.

But speedily indeed were these bright prospects overcast. A few days after the ceremony, four according to some writers,(112) fourteen according to others,(113) Otho was a widower. The general belief was, that one of the Italian "light of loves," of whom the Emperor had brought store from the sunny south, had, in a fit of jealousy, poisoned the girlish Empress. Nor is this unlikely; since it were hard to draw the line of criminal excess beyond which the insane violence of Italian passion would not impel a woman, perhaps really attached to her seducer, or flattering herself with the hope that she should persuade her lover to seat her, a "lovely Thais," beside him on his throne. Some Ghibelines of the time, followed by later Ghibeline chroniclers, have charged Otho with instigating or conniving at the atrocious deed;(114) but this accusation exhibits the very infatuation of party hatred. To him the life of Beatrice was invaluable; by her death he might lose an empire, and he had nothing to gain but a species of liberty for which he had evidently no desire; *i. e.* liberty to marry a different wife. She died, as another old chronicler justly observes, for his misfortune.(115)

The Swabian, Franconian, and even the Bavarian vassals of the House of Hohenstaufen immediately renounced all allegiance to Otho. The people, at large, looked upon the fate of the hapless bride, as the sentence of Heaven upon the unnatural union of inimical races; and the clergy confirmed the notion, as a weapon to be used against the enemy of the Pope. The Ghibeline princes and higher

nobles, who might not regard the wedding or the death of the fair bride in quite so superstitious a light, felt their only tie to an excommunicated Guelph Emperor broken, no one remaining to divide their hereditary attachment with the young King of Sicily. The cities alone, almost always loyal to him whom they deemed the lawful emperor, steadily adhered to Otho, since his second, unanimous election. The Emperor himself now clearly saw that his only remaining hope lay in the success of his arms; and resumed his place at the head of his army, to wage implacable war against the Landgrave of Thuringia, as Head of the Ghibelines. But he had as yet gsined no advantage over that prince, when he was summoned in all haste to Swabia, to provide for guarding the Alpine passes, and thus exclude the greater danger threatening from the south.

Even prior to Otho's reappearance in Germany the storm was gathering. As, upon his return, he passed through, or paused in, Lombardy, the deputies of his disgusted German vassals were crossing the province in the opposite direction, bearing to the representative of the Swabian Emperors urgent exhortations to claim the crown of his forefathers, in those forefathers' native land. One of these deputies, Heinrich von Neuffen, by the advice of the Guelph Conte San Bonifazio, remained in northern Italy, there to woo supporters of the cause they had in hand—in which he is said to have been reasonably successful—whilst his colleague prosecuted his journey southward. This deputed Ghibeline visited Rome, where he had an audience of Innocent: the politics of the Papal See, relatively to the Swabian Emperors, being temporarily changed by Otho's rebellion against the protector to whom he owed everything. Innocent saw that, how much soever he might dread the power of a sovereign who should unite the Sicilies with Germany and the Empire, the only rival he could hope to oppose successfully to the reigning Emperor was he, who, if successful, would be thus formidable; he gave his full sanction to the Ghibeline mission.

From Rome, Anselm von Justingen hastened to Palermo, where Frederic habitually held his court. The young

King, who had just completed his 17th year, was rejoicing in his new parental dignity—his first-born, Henry, being then not many weeks old—when the Envoy of the German Ghibelines presented him a letter, running thus: "To the illustrious Lord, Frederick, King of Sicily and Duke of Swabia, the assembled Princes of the German Empire offer greeting. We, the Princes of the German Empire, to whom, from time immemorial, the right is given to elect our Lord the King, and to seat him on the throne of the old Roman Emperors, are met together at Nuremberg, to deliberate upon our common interests, and to chuse us a new King. We bend our eyes upon thee, as upon him who is worthiest of the honour; a youth, indeed, in years, but old in judgment and experience; whom Nature has endowed beyond other men with all good gifts, the noblest scion of those exalted Emperors, who spared neither their treasures nor their lives, when required for the aggrandizement of the Empire, or the happiness of their subjects. Upon these considerations we pray thee to arise, quit thy maternal heritage, and hastening to Germany, here contend for the crown of this realm, with the enemy of thy House."(116)

That a high-spirited youth, whose natural desire for vengeance upon the usurper of his forefathers' crown, had been recently exasperated by the usurper's utterly lawless invasion of his maternal kingdom, was eager to accept such an invitation, hardly need be said. But the Sicilian Council saw the matter in a different light. The country was still smarting from the evils of a civil war, imputed to the government's having been committed to a personally absent Regent; and so recently appeased that Sicily had been quite unable to assist Apulia against a foreign invasion. Moreover, the invader's being a German, had revived an angry recollection of Henry VI's tyranny; and, everything German was odious. Earnestly they dissuaded the enterprise. As earnestly they were supported by Queen Constance, to whom her sufferings from rebellion and usurpation in Hungary had taught caution, if not timidity. She urged her fears of the mutability of the German princes, who had deserted Philip and Otho alternately; and by one of whom, long a seemingly attached

friend, the former, Frederic's uncle, had been murdered; and also her apprehensions with respect to the Pope, who, though a momentary interest might induce him to favour the attempt proposed, never could, she was convinced, persevere in supporting a Ghibeline emperor; especially one of the Swabian dynasty, and powerful, as the union of Sicily and Apulia with Germany and the Empire must make Frederic.

All these arguments were unavailing; the last, indeed, respecting the Pope, told both ways; showing this to be an unique opportunity of attaining to a height of power, that, at any other time, the Roman See would oppose. With respect to the German princes, von Justingen pledged himself for the constancy, as well as the zeal, of those faithfully attached adherents of the Swabian dynasty whose representative he was; and who, he affirmed, were actually in force to have insured the triumph of King Philip, when the hand of an unsuspected traitor, by his murder, overthrew all hopes and plans. And Frederic, who felt within himself abilities and energies to cope with every difficulty, who scorned by a dastardly prudence to let his ancestral heritage escape him, accepted the invitation. He appointed his Queen Regent of Sicily and Apulia, caused his infant son to be acknowledged and crowned, as his heir and subordinate colleague; and upon Palm Sunday, March 18th, 1212, much about the time that Otho returned to Germany to prepare for his defence, the youthful King set sail from Palermo upon his adventurous attempt.

CHAPTER XV.

OTHO IV.

Frederic's Expedition—Contest with Otho—War with France—Battle of Bouvines—General Desertion of Otho—Coronation of Frederic—Children's Crusade. [1212—1215.

But if the prospect that had induced Frederic to set forward upon his bold adventure was alluringly bright, the approach was far from easy. The path, in the very first steps, was anything but smooth. He was not as yet even free to repair to his destination had the road been clear of the perils thickly besetting it. He had not, up to this day, visited the continental portion of his kingdom, and felt the necessity of so doing, in order to provide for the administration of Apulia—always, seemingly, kept distinct from that of Sicily,—before removing to a great distance, for an indefinite length of time. For this purpose he landed at Gaeta, and kept the Easter festival at Benevento; there he received many Apulian vassals, appointed officers of various descriptions, and made arrangements with respect to the general conduct of affairs in his absence.

From Benevento he repaired to Rome, where he passed the greater part of the month of April, in long and important conferences with his former guardian. Innocent gave him all imaginable encouragement with much good advice, and supplied him with money for his arduous undertaking; but, for the assistance thus afforded, he demanded a high price. Frederic had again attempted to exercise the right ceded or confirmed by the Popes to his Norman ancestors, naming a bishop to the vacant see of Policastro; the Pope had not only pronounced the nomination invalid, but had himself appointed a Bishop of

Policastro, in virtue of the resignation of the rights, extorted from the deceased Empress. He now required the young King to cancel his own nomination, and acknowledge the papal Bishop. He required him further, to bind himself by oath, not to unite upon his own head all the crowns he claimed, but, as soon as he should be Emperor, to resign Sicily to his son. Frederic, whose chance of success seemed to depend upon the part the Pope should take, had no choice but to comply; and Innocent rewarded this compulsory submission by relieving from excommunication, and granting a full pardon to Leopold, Bishop of Worms, ex-Archbishop of Mainz; who had been the victim of his fidelity to Frederic's uncle Philip; and even since his deprivation of his see had incurred new papal displeasure, by his unsuccessful efforts to preserve Tuscany for its royal Duke. The thoughts and feelings of the young King, at this proof that some of his Queen's apprehensions were well founded, there are no means of ascertaining; but if a conjecture, that he impatiently anticipated a time when a Pope's friendship no longer need be purchased at a price so exorbitant, be admissible, it will follow that in the sacrifices now extorted, were sown the seeds of his subsequent opposition to Papal pretensions.

Amidst the disorders of Tancred's usurpation, Henry VI's conquests, and his son's minority, Sicily had, apparently, ceased to be a maritime power; since Frederic was obliged to seek assistance for that portion of travel which he designed to make by sea; and at Innocent's desire, the Genoese sent a fleet to convey him from Ostia to their city. Genoa having been laid under the ban of the Empire by Otho, as Ghibeline, or rather as hostile to himself, Pisa had, in pure Ghibelinism, attached herself to the Guelph Otho, as Emperor; and Genoa, not habitually Imperialist, attached herself to Otho's Ghibeline rival, mainly, perhaps, actuated by enmity to Pisa. But, whatever her motive, Genoa received the young King, when in the month of May he landed from her squadron, loyally; and in acknowledgment of vassalage, defrayed all his expenses during his sojourn within her walls.

Beyond all expectation was this sojourn prolonged, for at Genoa began the difficulties of Frederic's enterprise,

and nearly two months did they detain him there. The problem to be solved was, how, notwithstanding the almost universal hostility of the Lombards,—and nearly universal indeed that hostility was,—to traverse their country without an army. The usual Guelphism of Milan, being merely the symptom of her desire for independence, was adopted, or superseded by Ghibelinism, as the interest or whim of the moment dictated; and in 1212 the anti-papal spirit,—originating in the spiritual pretensions of her earl-archbishops,—was revived, by the prevalence of heresy amongst her citizens. The attachment she professed to Frederic Barbarossa and his race, when, upon the cordial reconciliation, he celebrated his son's marriage in her cathedral, expired when Innocent befriended Barbarossa's grandson. Milan adhered to Otho, rejecting the papal candidate for the Empire; and Innocent laid the city under an interdict. But Guelphs disregarded papal thunders, when launched against themselves, as completely as could Ghibelines. Milan was stubborn; and, voluntarily or perforce, so generally did the Lombard cities follow her lead, that from Turin to Mantua and the banks of the Brenta, the papal command was generally slighted. Only Pavia and Cremona persevered in their hereditary loyalty to the Swabian Emperors. Even of the naturally Ghibeline, noble vassals, some adhered upon principle to the *de facto* sovereign; some resented the Pope's presuming to depose a lawfully elected and crowned emperor; some, like the cities, succumbed to Milan; whilst the mightiest amongst them, Ezzelino di Romano, was, like Salinguerra, won by the ample grants received from Otho.

At Genoa, Frederic was visited by the chiefs of his strangely mixed party; the faithful adherents of his family, confederating with those of the Papal See. These visitors were the Marquess of Montferrat—son of the Crusader King of Thessalonica, delighted to reconcile his attachment to his Imperial Liege Lord and kinsman with his duty to the Pope—the Marquess of Este, the Conte di San Bonifazio, a few other nobles, and the deputies of the loyal cities. The subject of constant discussion was the possibility of the young King's reaching Germany without an army to force his way. The beautiful *Riviera* road to Nice,

whence, crossing the Var, he would have been in Provence—as included in the Arelat, part of the Empire—did not then exist. The Alps could not be turned, but must be crossed, and how, with the few troops that could on the spur of the emergency be raised, get through the strongly guarded passes? How even reach them? All Frederic's counsellors, persuaded that he must inevitably be intercepted, and compelled to fight his way against an overpowering disparity of numbers, vehemently opposed his stirring from Genoa.

But during this delay Otho was well known to be daily gaining strength in Germany; and hurrying on the marriage by which he trusted to win to his side the very partisans upon whom Frederic and his friends relied. The young King felt that procrastination must be fatal to his hopes, that his standard ought to be raised in Germany prior to the impending marriage. He neither could nor would longer delay; but after a tedious struggle, resolved to set forth, fears and opposition notwithstanding, trusting to the celerity of his movements for baffling the designs of his enemies. His faithful friends reluctantly submitted to his determination, and all arrangements, including especially what may be termed the relays of his escort, were made accordingly.

Upon the 15th of July Frederic quitted Genoa, escorted by the Marquess of Montferrat as far as Pavia; which was reached before the Milanese—taken somewhat by surprise, as, expecting him, probably, to move only at the head of an army—were ready to oppose his progress. But now, knowing him in motion, they armed, ordered out their mercenaries, summoned their dependants and allies, and made sure of capturing him upon his next move. Frederic eluded the danger by starting at dusk and marching all night. Thus he reached the Lambro uninterrupted; here he thanked and dismissed his Pavian escort, crossed the river without losing a moment, and found Marchese Azzo, at the head of the Este vassals, awaiting him upon the further bank. So narrowly had the royal adventurer escaped the overwhelming force which the Milanese had now collected, that the Pavian troop was attacked upon its return home, and defeated, with a loss of seventy men taken

prisoners; Pavia was in consequence compelled to become a member of the Lombard League. Azzo conveyed Frederic through Cremona, where he was received with the warmest demonstrations of loyalty, to Verona, and there resigned his charge to Conte San Bonifazio. It was almost the last act of his life, for in this same year 1212, Marchese Azzo died, and was succeeded by his son Aldrovandini. San Bonifazio in his turn conducted the King safely up the valley of the Adige, into the Tyrol, as far as Trent.

Thus far Milan had been the only formidable foe, and her army had been evaded; whilst against all others—the force of the Lombard League not having had time to assemble since his start from Genoa—Frederic had felt his escort sufficient. But from this point he was satisfied that such escort must be unavailing; whilst the very short notice that could be given rendered it impossible for his scattered friends to collect in numbers adequate to encounter the strong posts guarding the usual Alpine passes against the Apulian child, as Otho was wont derisively to designate his youthful competitor. The Apulian child saw that his only chance of effecting his further passage again lay in evading those whom he might not hope successfully to encounter; and this he resolved to attempt. He therefore took leave of San Bonifazio and his Italian friends, engaged a Tyrolese guide, and, almost unattended, quitted the high roads, turning westward, to try the dangerous paths by which the active, and early-trained chamois hunter pursues his game in all directions, amidst and over those mountain barriers. Making his perilous way along these tracks, with their never-melted *glaciers*, broken by fearful chasms, scaling crags and peaks, even to the primæval snow, thus to avoid all known passes, Frederic crossed some part of the ridge dividing the Valteline from the Engadine:—the very ridge over which to construct a military road has, at the present day, been deemed a miracle of engineering science. He was now in the land of the Grisons, forming part of his hereditary duchy of Swabia, and descended upon Chur or Coire. Arnold von Ems, Bishop of Coire, and Ulrich, Abbot of St. Gall, were staunch Ghibelines, and from Innocent's having once specifically commissioned them to extort from a plundering

noble restitution or compensation to some travelling merchants whom he had robbed, they may be supposed of the class of martial prelates. The Bishop, heedless of the enmity he might provoke from more powerful neighbours, Otho's partisans, received the heir of his Swabian lords, as well as of his Emperors, with enthusiastic loyalty, and conducted him across his diocese. Upon its frontier, Abbot Ulrich, in battle array, met them, ready to escort the King onward as far as Constance.(117)

Upon their way thither they heard that Otho, either hoping to encounter his rival whilst yet unprepared, or to destroy these faithful Swabians, before their natural Lord, who would reckon upon their support, should appear, was advancing upon Constance, at the head of such a body of troops as the Abbot, with his band of sixty men, or even reinforced by the episcopal vassals of Coire, could not dream of opposing. And this army was even then upon the banks of the Lake of Constance, whilst the Emperor's harbingers and cooks were in the town itself, preparing his quarters and his supper. A momentary hesitation ensued; but Frederic, inexperienced as he was, clearly perceived that upon the result of the next hour depended the success of his enterprise, of his life's grand aim, and, supported by the bold Abbot, he pressed forward. He presented himself at the gate of Constance. The Bishop had admitted Otho's harbingers apparently because unprepared to resist the approaching force; but his heart was Ghibeline. The sight of the little band of St. Gall, with the spirited appeal of the heir of his ducal Lords, of his Imperial sovereigns, revived the courage of the prelate and of the citizens He declared that to shun all intercourse with an excommunicated person, whatever his rank, was his duty; they threw open the gate; and Frederic, with his escort, was received within the walls of Constance.

Three hours afterwards Otho arrived, and found the city gates closed against him. So important had been every minute of time! So happily had the adventurous King's movements, notwithstanding some unavoidable delays, been calculated. Had Frederic, whilst still so poor in numbers, been excluded from Constance, as he would perforce have been had Otho preceded him there,

his attempt to recover his patrimony must, in contemporaneous judgment, have been completely foiled. Yet even the detention at Genoa, of which he had reasonably been impatient, as ruinous to his hopes, had proved fortunate; for had he entered Germany prior to the melancholy death of his young cousin Beatrice, he might have found many, if not most, of the friends of his house, reluctant to rise at his call, against her consort. Now they could look to no head but himself; and, for the moment, he was safe within the walls of Constance. Otho did not feel himself in strength to take the city by storm, and therefore fell back to Ueberlingen, a strong position, that would enable him, he trusted, to cut Frederic off from the greater part of Swabia; concluding that he would, in the first instance, seek support amongst the hereditary vassals of his family.

Otho had judged well; nevertheless feudal zeal made the scheme a failure. Whatever ambitious views might be entertained by some Swabian vassals, the duchy in general was loyal to its dukes. The powerful Graf von Kyburg, who, descending by females from the Zäringen stock, was distantly related to the house of Hohenstaufen, hastened with his vassals to Constance, to escort Frederic down the Rhine. His kinsman, the Graf von Habsburg with his, reinforced by all their relations and connexions, followed his example; and Frederic left Constance at the head of a troop equal to encountering Otho, in his actual condition, without any material disadvantage. As he advanced, Swiss knights and nobles flocked to his banner, and Basle joyfully welcomed the heir of the race in which Swabia gloried. At Basle he received homage and proffers of service from all parts of the duchy; thither came a body of troops sent by the Duke of Lorrain to his aid; and messengers from Philip Augustus to arrange an interview between the two kings at Vaucouleurs in Lorrain. Otho, quitting Ueberlingen, had moved in a line parallel to his competitor's march, taking post at Brisach: and Frederic, while still at Basle, learned that the citizens of Brisach, at once exasperated by insults and outrages to their wives, sisters, and daughters, and encouraged by the vicinity of their rightful lord, had risen in arms, declared for

him, and expelled Otho and his troops from their walls. His hereditary duchy was now his! Stimulated by this example, Bavaria, whose Dukes were so deeply indebted to Frederic Barbarossa, likewise declared for the daring grandson and heir of that Emperor, and Otho withdrew to Brunswick.

Frederic continued his course down the Rhine, and at Worms had the gratification of reinstalling a victim to his Ghibeline fidelity, Bishop Leopold, in his original see. Thence he repaired to Vaucouleur, where he met, not King Philip, who was prevented by indisposition from keeping his appointment, but his son, Prince Lewis. With him the league of friendship that had, almost uninterruptedly, subsisted between Philip Augustus of France, and Frederic's father and uncle, Henry VI and Philip, was renewed. Enmity to Otho was now the bond of union; and to promote their common interest by his overthrow, Lewis, in his father's name, presented Frederic with a subsidy of 20,000 marks, towards defraying his unavoidable expenses.

Frederic, after parting from the French Prince, repaired to Mainz, where he arrived in December, and received the homage of many princes. There his uncle's trusty Chancellor, the Bishop of Spires, who seems to have held the same post under himself, asked him, where he would have the French subsidy kept. He replied: "Nowhere! It is not to be kept, but distributed amongst our friends." An answer offering a contrast to Otho's habitual parsimony, even more favorable to the heir of the Swabian Emperors, than did that of his gracious, and cheerfully affable, demeanour to his rival's rudeness. Happy for him and for the Empire, had such pecuniary sacrifices been all that he was obliged to make, as the price of obtaining his ancestral crown.

The whole south of Germany had now acknowledged Frederic, and he proceeded to regulate its affairs. He held Diets in which he recompensed and further secured the services of his partisans, by various grants; some of them so decidedly detrimental to Empire and Emperor, as to be excusable only in consideration of Frederic's circumstances. His boyish inexperience probably perceived not the importance of some amongst the sacrifices wrung

from him by his urgent need of the favour of Pope, vassals, and neighbours; in short by the irresistible constraint under which he acted. For instance, to the Pope, to whom he felt himself deeply indebted, he ratified and confirmed Otho's concessions: save as his rival's specific assurance of Sardinia and Corsica, to the Roman See, might be held to sanction Frederic's inference, that the whole Matildan heritage was not included in the general guarantee, to that See, of "all territories thereunto belonging." That he renewed his grant of the county of Sora to Innocent's brother, Conte Ricciardo, and his heirs for ever, might be an act of free pure gratitude; but the others were extorted. To Waldemar of Denmark—whose alliance or at least neutrality it was essential to secure, and who had latterly been not a little alienated from his imperial brother-in-law by the ardent friendship which his own dreaded kinsman, the ambitious Archbishop Waldemar, professed for Otho, excommunicated as he was—to Waldemar, Frederic granted investiture of some of the northern Slavonian districts lying nearest to Denmark.[118] Waldemar had for many years been in possession of these, and of all the other northern Slavonian provinces west of the margraviate of Brandenburg; and Frederic was at the time utterly unable to recover any of them from him; still the grant was and is much censured, as an abandonment of the right to do so thereafter. To Ottocar of Bohemia he granted the right of investing bishops with their temporalities, and exemption from attendance at any, save some few specified, Diets.

In northern Germany, the Archbishop of Magdeburg, the Landgrave of Thuringia, and the Bishop of Munster, were Frederic's only partisans east of the Rhine; and the Bishop of Liege west of that river. Otho now hastened to secure the Duke of Brabant permanently to his interest, by fulfilling the long-deferred engagement with his daughter Mary, which he had, indeed, actually broken, to wed Beatrice of Hohenstaufen. There was an idle report that no priest would venture to perform the marriage rite for the excommunicated Emperor; but if Brabant prelates refused their services, which is possible, Otho had abundance of ecclesiastics of all grades in his

own party, who could not entertain scruples upon the subject—his nuptials with Beatrice had been celebrated since his excommunication; and at all events, certain it is that Mary of Brabant thenceforward appears as his wife and Empress. Her father immediately invaded the bishopric of Liege, whilst Otho himself again carried devastation into Thuringia. But Frederic, fully aware of the value of time, presently followed his rival thither, and cleared the landgraviate of enemies. Again Otho retreated to Brunswick.

In Lower Lorrain the war is chiefly remarkable for an incident characteristic of the age. The ravages committed by the Duke of Brabant are said to have been as barbarous as his language was blasphemous. The Prince-Bishop assembled his vassals, and fully relying upon divine justice, prepared, in defence of his people, to offer the far superior forces of the Duke battle. Upon Sunday, October 14th, 1213, he arrayed his small army for the encounter; and then rode through the ranks giving his blessing to those who were about to risk their lives for the protection of their hearths and their families. Thrice his warriers knelt, either to receive that blessing or to offer up a correspondent prayer. The Duke, a practised general, had on his part so drawn up his men as to take every advantage of his numerical preponderance, of the ground, the position of the sun, and the like; and he and his veterans scoffed at the bigotry of the kneeling cowards. His brother, Duke William, of Ruschebrock, on the contrary, was reverentially impressed by the spectacle, and entreated permission to mediate a reconciliation. The Duke scornfully refused it, when Duke William forebodingly exclaimed: "Brother mine, already art thou defeated!" His presentiment was verified, even the strategy of the Duke being baffled. One display of skill had been so posting his men as must compel their adversaries to front the west, so that, the day being far advanced, the low afternoon sun might dazzle them; and as the battle began clouds overshadowed "the orb of day," nullifying the anticipated advantage. Both parties saw in this atmospheric accident a divine interposition, which, depressing the Brabanters, inspirited the defenders of their

invaded native soil. These last fought gallantly, and won the victory; 3000 Brabanters were slain, and numbers taken; the bishopric was immediately evacuated, and peace concluded.

Frederic, since his appearance in Germany, had not been re-elected, the party that had invited and supported him, acknowledging him in virtue of his unanimous election in his infancy. Neither had he been, nor did he seem anxious to be, crowned, important as that ceremony was then esteemed; because its importance depending upon strict conformity to established custom, to be of avail to him, it must take place at Achen; and notwithstanding the firm Ghibelinism of the Prince-Bishop of Liege, in whose diocese that town is situated, the attachment of the other Princes of Lower Lorrain to his competitor, rendered Charlemagne's favourite capital now inaccessible. The impolicy of Otho was about to clear his path of that obstruction. From the hour of his expulsion from Thuringia, the anathematized Emperor, instead of concentrating his efforts against his young and active antagonist, (omitting even to assist his father-in-law—who, indeed, deemed himself strong enough single-handed—against the Bishop of Liege,) appears to have been wholly engrossed with enmity to Philip Augustus, and schemes for the conquest of France, whilst his own empire was crumbling in his hand. It is possible that he might be herein actuated by some plausible, if mistaken notion; and ascribing Frederic's success to Philip's support, might fancy that to defeat, or even sicken the supporter, would insure victory over the supported, and perhaps over the Pope; or he might look upon his uncle of England's recovery of his French dominions as an essential element of his own power. But the probability is, that he was simply indulging long-cherished resentment of the silly jest lately mentioned; encouraged so to do, and deluded by the misrepresentations of a great French vassal who was sedulously stirring up enemies to his inimical liege Lord.

The French King had, in fact, offended several of his great vassals, the most formidable of whom were the Earl and Countess of Flanders. Upon the reported death

of the Emperor Baldwin, he had claimed the wardship of that Emperor's daughter, Joanna, heiress of Flanders and Hainault. Flanders belonged chiefly to France, but in part likewise to the Empire: whilst Hainault, though speaking Walloon, i. e., northern French, was almost wholly a German fief: but the contest for the Empire between Philip and Otho probably prevented any Imperial opposition to this pretension. Philip, Earl of Namur, to whom his brother, Earl Baldwin had at his departure intrusted the care of his children, and of his dominions, being seduced into the abandonment of his duty—and indeed unsupported he could not have maintained his office against the power of France—through the offer of the hand of the King's legitimate daughter by his illegal marriage with Agnes von Andechs, sent his two nieces, Countess Joanna and her younger sister Margaret, to Paris. As soon as the young Countess could be deemed marriageable, Philip Augustus sold her and her two counties to Prince Ferdinand of Portugal, for the promised cession of two Flemish towns, St. Omer and Aire. The nuptials were celebrated with great magnificence at Paris, but at the expense of the bride's counties, and the wedded pair went home. But upon their way, Ferdinand and Joanna were captured by Prince Lewis, and kept prisoners, until he was in possession of the ceded towns.(119) Naturally Ferdinand thought more both of this affront and of what was extorted from him, than of what was given or sold him; and had he proved tamer, the resentment of Countess Joanna and her vassals, would have obliged him to affect such sentiments.

But if the new Earl of Flanders and Hainault was the most powerful of the French malcontents, the Earl of Boulogne, offended by the King's attempt to curtail the feudal privileges of the great vassals, with respect to private wars, was the most active of them. He had visited England and persuaded John to attempt the recovery of the provinces that had been torn from him; and from England he repaired to Germany and excited Otho to join and head the confederation that he was organizing against Philip Augustus. Otho needed no pressing; eagerly he consented, and the allies deemed their triumph certain.

King John invaded his lost patrimony, and Prince Lewis with a large portion of the force of France was defending Poitou and Anjou against him, when the Emperor menaced the eastern frontier of the kingdom. Otho's army, comprising his own Saxons and other northern Germans, the German and French vassals of Countess Joanna, the compatriot vassals of Renaud de Boulogne, and other revolted French nobles, and a considerable body of English under his illegitimate uncle, the Earl of Salisbury, has been variously estimated at 120,000 and 200,000 men, and may perhaps be safely taken at about 150,000. To oppose this host Philip, whose troops were necessarily divided, could bring but very inferior numbers. He indeed summoned both nobles and citizens to aid in defending their assailed country; and the call was the more readily obeyed from his having the year before, A.D. 1213, relieved the kingdom from the evils of an interdict, by obeying the Pope and reconciling himself to the ill-treated Ingeborg. But these armed citizens appear to have been in France of too small account to be noticed in numbering the army; and passing them by, the highest amount at which his force is calculated is 50,000 men.

With this army Philip Augustus, in July 1214, entered Flanders, to chastise his rebellious vassal, ere joined by Otho; who on his part was hurrying forward to meet, and, surrounding, as he hoped, to extinguish the inferior numbers of his old enemy. So far the King of France succeded, that he had wrought some devastation in the industrious and prosperous French fief before he heard of the excommunicated Emperor's approach. Then, fearing to engage at such disadvantage, he retreated towards Lille, pursued by Otho, who was so confident as to the result, that he had already parcelled out as much of France as was not the lawful patrimony of his uncle John, between himself, his faithful vassals, and his allies. Near Bouvines, upon the 27th of July, he accomplished the first object of his desires, overtaking the enemy. It is said that Philip Augustus anticipated no attack that day, because it was Sunday. The statement, if correct, is remarkable, since many battles had been fought upon Sundays; one

just mentioned by the pious Bishop of Liege against the invaders of his principality; even the more venerated great festivals of the Church were by no means uniformly so respected. The present occasion seems to be the first indication of such religious respect for Sunday, as should prevent the taking fair advantage of an enemy.

However this may be, the French monarch — more likely unaware of the close proximity of the Imperialists — had lain down under an ash tree to sleep whilst his army should be occupied in passing a small stream, called the Marque, when he was roused by information that his rear guard which had not yet crossed, was attacked by the enemy. The Duke of Burgundy accompanied his unwelcome intelligence with an earnest prayer that the King would preserve a life, so valuable to the country, by retiring to the adjacent strong Castle of Lens, whilst they should fight the now inevitable battle. "That were unknightly," returned Philip Augustus, who, if not animated with his lion-hearted rival's disinterested love of fighting, knew how to brave danger when occasion required. "And my banner," he then asked, "shall I, as to the worthiest, commit the *Oriflamme*?" The Duke replied, "I know a valiant knight, a Picard, but so poor that he has pawned [illegible] to equip himself for this expedition. To him, Walo (or according to other writers Galon or Gui,) the Oriflamme may be safely intrusted." The knight was sent for, and the monarch offered him the banner, saying — "To thee, friend Walo, I commit the Oriflamme of France." The actually confounded Knight answered: "What am I, my liege, to undertake such a charge?" The King rejoined: "Thou art a man who can answer for his courage; and who, when, by God's grace, he comes back safe, shall be amply rewarded." The Knight, however, still refused to take the standard, replied: "Since such is your will, I will do it; and if the [illegible] shall be thirst be [illegible]."

Philip Augustus had originally professed to wage this war as the champion of the Church, upon two excommunicated monarchs. John's excommunication had thus been made the pretext for despoiling the English crown of

its French provinces; but his relief from that sentence, and readmission into the bosom of the Church, upon his becoming a vassal of the Roman See in the preceding year, had not induced this self-constituted defender of the Papal authority, to desist, at Innocent's command, from such spoliation. He probably chose to consider the reconciled uncle's continued intercourse with, and support of, the still refractory and excommunicated nephew, sufficient sin to render him liable to all the temporal consequences of spiritual contumacy. And that nephew had latterly deepened and redoubled his guilt in the pontifical eyes by threatening to resume all the lands with which his predecessors had endowed the Church; including, upon what ground is not apparent, even those that were gifts of vassal-princes of the Empire. He purposed thus to reduce the clergy of all grades in his dominions to tithes as their sole provision. With the view, perhaps, of stamping this sacred character upon the war, Philip's next preparation for the impending engagement was to perform his devotions in a small neighbouring church. That done, he proceeded to array his forces, in which operation he shewed great judgment; taking advantage of some marshy ground near Bouvines for the protection of his flanks, he managed in some measure to neutralize Otho's great numerical superiority.

Otho, on the other hand, displayed his wonted inconsiderate rashness. He threatened Renaud de Boulogne with chains, for traitorously, as he phrased it, dissuading from any attack upon the French, unless they could be taken decidedly at disadvantage. He gave not a thought to guarding his troops from the scorching July sun, which now, in the early afternoon, shone dazzlingly in their faces. And he appears to have formed no plan of operations beyond requiring the Earls of Flanders and Boulogne to bind themselves, as he did, by oath, to direct all their efforts against the person of the French King. Whether he so bound them under the persuasion that the royal general's death must needs decide the fate of the day —at the battle of Muret both parties have been seen influenced by such an idea—or was actuated solely by rankling animosity, can only be matter of conjecture.

Hence the battle was fought by the Germans without concert, and again more resembles a Homeric battle, than one of modern times. Whilst Otho, with the main body, and Renaud de Boulogne, with the left wing, were wholly intent upon seeking Philip, Ferdinand of Flanders with the right wing was, after some hard fighting, completely routed by the impetuous valour of the French chivalry; and he himself, wounded by de Montigny with the shaft of the standard, and falling half under his slain charger, was taken prisoner. Both monarchs were repeatedly in great danger; Otho's death or capture being apparently as much the object of the French warriors—though not by previous arrangement—as Philip's, by imperial command, of the Germans. Philip was dragged off his horse by some German infantry, and only the excellence of his armour, —wherein his assailants could discover neither fault nor joint, which might admit the passage of their weapons— saved his life during the few minutes he remained in their hands, ere rescued and remounted by his own people. Otho, whilst laying about him really like one of the heroes of the Iliad or of mediæval romance, found his bridle-rein clutched by a French knight, named Pierre de Mauvoisin, who was striving to drag him away captive. A struggle between the Emperor and the Knight ensued, during which Gerard de la Truye hastened to his countryman's assistance, and dealt a mighty blow on Otho's breast. The battle axe recoiled from the imperial armour. He aimed a second, which was intercepted by the steed's head, tossed high in his efforts to release himself from Mauvoisin's grasp. The wound was mortal, but in the convulsive struggles of his agony, the horse did break loose; when rearing, he turned round, and galloped a short distance before he fell dead upon the ground. That dying effort had carried Otho back amidst his friends, and Graf Horstmann instantly alighting, gave him his own charger. But the accident had borne the semblance of flight; the French exulted, the Germans were dispirited; and before Otho could well show himself remounted, the rout was so complete that, whilst endeavouring to rally his fugitive troops, he was irresistibly swept along with the stream. This appears to be the most, if not the only, plausible

account of an otherwise inexplicable flight; Otho being a man of such undoubted courage, as to have been deemed a worthy pupil and emulator of his uncle of the lion's heart. The Comte de Boulogne fell into the hands of his offended sovereign, much as the Portuguese husband of the Countess of Flanders had been taken.

This was esteemed the greatest battle fought, the victory the most important gained, by the French, since the defeat of the Arabs by Charles Martel. Otho's loss in killed, wounded, and prisoners, was estimated at 30,000 men; Philip's, at only 300: the great slaughter being, as usual, of infantry, cut down unresisting in their flight. The armour of the knights rendering them nearly invulnerable, necessarily diminished the loss of life *in* battle. Of this the battle of Bouvines offers striking examples, as in the just-described escape of Philip Augustus, and in the following, somewhat unchivalrous, incident. A Brabant knight having dashed forward, shouting: "Death to the French!" was encountered by one Michel des Harmes, who clasped him in his brawny arms, crying: "Here shall thy insolent tongue find the death thou denouncest to the French." He held him fast, whilst a second French knight, with one hand forcing back his head, sought an aperture in his armour through which to insinuate his dagger's point. For awhile the search was as fruitless as in Philip's case; but at last the juncture of the gorget and breast-plate or shirt of mail disclosed the desired fault, and the offending Brabanter was slain. How many more of his grade fell is doubtful, but amongst the prisoners the victor is reported to have had Palsgrave Henry, five earls—two have been named, and Salisbury was a third—and twenty-five bannerets. His own rebellious vassals of Boulogne and Flanders Philip held to have forfeited their lives,—though the double vassalage of the Earl of Flanders and Hainault, and the rules laid down for the case of war between two liege lords of one vassal,([121]) might have been supposed to protect the Portuguese from such forfeiture; unless indeed the French King chose to consider the papal excommunication and deposal of the Emperor, as depriving the Imperial vassals who adhered to him of the plea of their duties of vassalage. Death, the lawful doom of

one of the two Earls, and, as asserted, of both, was mercifully commuted for life-long imprisonment; and such it proved in the case of Renaud de Boulogne who died in captivity. Not so in Ferdinand's; but not till he had pined through many weary years, during which Joanna vainly endeavoured to ransom him; indeed, not till after the death of Philip Augustus and his son Lewis VIII, was the Portuguese Peer of France and Prince of the Empire, at length released by the Queen Regent, Blanche, on paying the heavy ransom of 55,000 lb. of silver.(122) The booty made at Bouvines was immense, and amongst it was Otho's carroccio-fashioned standard. This Philip took to Paris as a trophy; but the Imperial eagle adorning it he sent to Frederic, in token of Heaven's sanction upon his claim to the Empire.

The battle of Bonvines terminated the war. John of England purchased peace for the sum of 60,000 marks, and obtained the liberty of the Earl of Salisbury, in exchange for a French nobleman of high rank. Otho's father-in-law, the Duke of Brabant, sought to propitiate the victor by congratulations. Philip, in reply, sent him two letters, the one blank, the other containing merely these words: "As that letter is devoid of writing, so is thy heart of truth." He nevertheless made peace with him, accepting one of his sons as a hostage for his observing the conditions.

Otho himself seems to have abandoned all further thought of war with France, and took refuge at Cologne; which, like most of the powerful cities, esteeming him, since his re-election, the lawful Emperor, still faithfully adhered to him. At Cologne he was joined by his Empress; but better had it, perhaps, been for him had his Italian mistress persisted in her resolve that he should have no wife unless he conferred that title upon herself. Mary of Brabant is said to have been reckless of expense and of decorum, if not of character, in her pursuit of amusement; and amongst her favourite pastimes ranked high play. The large sums she lost at dice, her general extravagance, and the debts she idly incurred, together with the peculiar unfitness of such conduct under her consort's circumstances, disgusted the staid burghers of

Cologne. Their loyalty cooled, and they now demanded payment of the Empress's debts, as well as of a good round sum, previously lent Otho, to forward his warlike preparations. Having no means of satisfying their just claims, Otho, about Easter, left Cologne, according to some accounts,(123) under colour of a hunting party, and fled to Brunswick; whither the Empress, escaping from her creditors in the garb of a pilgrim, presently followed him. Other writers state that Cologne, to get rid of annoying guests, no longer positively esteemed imperial, not only forgave the debts of Otho and Mary, but defrayed the expense of their return to Brunswick.(124)

The victory of Philip Augustus had been as decisive for Frederic as for himself, Otho evidently remaining powerless. The Duke of Brabant has been seen endeavouring to conciliate his son-in-law's foreign enemy, and he now submitted to his compatriot rival, giving him another son, as a hostage for his fidelity. The Duke of Saxony and the Margrave of Brandenburg had been induced by the general aspect of the contest, to renounce Otho and acknowledge the heir of the Swabian dynasty, to which their House was deeply indebted. And Frederic, who had been engaged in subduing individual adherents of his competitors in southern Germany, and holding Diets there for the regulation of local affairs; now convoked a Diet at Frankfort-on-the-Main. It was more numerously attended than any of his had yet been; and he obtained the promise of the assembled Estates to elect his infant son King of the Romans.

The allegiance of Cologne was now avowedly transferred to him, and no further impediment to his descending the Rhine existed. Frederic therefore turned his steps northward, inviting the Princes to attend him to his coronation. Achen, indeed, still professed allegiance to Otho; but, when the heir of her Emperors appeared, threw her gates open to him. And there, in the Cathedral of Charlemagne, upon the 15th of July, 1215, Frederic II was crowned with all due rites and solemnities. Two deviations from established form, nevertheless, unavoidably occurred. The one, that the proper regalia being in Otho's possession, substitutes for the genuine crown, sceptre, &c., were necessarily

employed. The other, that the See of Cologne being vacant—Archbishop Adolf had not survived to enjoy and participate in Ghibeline triumph—the Archbishop of Mainz was the officiating prelate. And thus, at the early age of twenty, had Frederic, victorious over all obstacles, recovered the throne of his ancestors.

Upon the very day of his coronation the young sovereign took the Cross, and his example was followed by many princes, prelates, and nobles. This, certainly precipitate, step, may be presumed to have been less an impulse of enthusiasm, either religious or chivalrous, than the fulfilment of an engagement to his papal ex-guardian, and still important protector. Innocent was then vehemently exhorting Europe to undertake a new crusade for the recovery of Jerusalem, the arrangements for the organization and conduct of which were to be made in the Œcumenic Council, summoned to assemble at the Lateran in the autumn of this same year. To Innocent, Frederic strongly expressed and evidently felt real gratitude, of which he gave him a yet more difficult proof than this rash crusading engagement, made whilst he still had to defend his crown against a competitor. In compliance with another of his requisitions,—the most annoying—he now, in the very exultation of success, sent him a renewal of his promise, to resign the Two Sicilies to his son, when he himself should have received the Imperial crown; thus severing them from Germany and the Empire; and further, for the government of those realms during his son's minority, to appoint regents such as the Pope should approve.

Whilst the contest for Germany had been in progress, occurred one of the strange incidents peculiarly characterizing the middle ages. This was a Crusade of children! It began in France, where, even during the heat of the Crusade against the Albigenses, Robert de Courçon, an Englishman, formerly the school or college friend of Innocent III, at Paris, and now his Legate there, was preaching a Crusade for the recovery of Jerusalem. Though an able man, the preacher was hot-headed, and performed his office after the manner of Peter the Hermit and his enthusiastic associates, giving the Cross to all descriptions of

persons, fit and unfit, indiscriminately. His passionate exhortations inflamed all minds, and in 1213,[125] had actually enfrenzied a shepherd boy named Stephen. This lad asserted that the Saviour himself had, in a letter addressed to the King of France, authorized him, Stephen, to preach and lead a Crusade. Children of all ranks and of both sexes, in spite of their parents' utmost endeavours to restrain them, flocked to this juvenile leader, until he was at the head of 30,000 French boys and girls. From France the mania spread into Germany, where another boy collected an army of 7,000 children: amongst whom, however, there are said to have been some adult individuals.

The German division of this parody upon the favourite and—as believed—hallowed enterprise of the epoch, crossed the Alps and reached Genoa, where the discovery that hence the way to Palestine was by sea, for which money was indispensable, put a final stop to the progress of the strange army. Well was it for those who, in whatever station born, there remained as servants to the Italians! The majority, in their opposite attempts, some to proceed, by begging, or trying to steal a passage, others, by retracing their steps, to return home, were plundered and ill used; of the last, moreover, numbers died of heat, hunger, thirst, or fatigue, by the road side. A few only eventually found their way back to Germany, where the males became objects of ridicule, the females of worse, their chastity not being supposed to have survived the perils of such an expedition.

The lot of the French host of juvenile Crusaders was even more disastrous. Headed by Stephen, borne in state in a tapestried waggon, they arrived at Marseilles, where some merchants, professing unbounded admiration of their heroic piety, offered them a gratuitous passage to Palestine. Of course the bewildered children, utterly at a loss how to proceed, gladly accepted both admiration and offer. They are said to have embarked in seven ships, so scanty an allowance of room for 30,000 passengers, of whatever growth, as to induce a hope that the numbers may be somewhat exaggerated. Of these seven ships two were wrecked off Sardinia, when every soul on board perished, and those so lost were the least unfortunate

amongst the shepherd boy's host. For the merchants, whose fair show of disinterested kindness and piety had entrapped the poor children on board their ships, carried their dupes to Africa, where they sold them into Moslem slavery. Slaves being then held to be lawful merchandize, and the ever repeated papal bulls and decrees of Councils, against selling Christians to the Heathen, showing the practice to be common, the crime of these Marseilles merchants, how abominably atrocious soever, is less incredible than, at first sight, it appears. There is reason to hope that these traitorous, kidnapping slave-dealers were afterwards caught and severely punished by Frederic II.

BOOK IV.

CHAPTER I.

FREDERIC II.

Council of the Lateran—Regulations touching Heretics—Church Discipline—Mendicant Orders—Earl Raymond's Spoliation—Innocent III's Death—Honorius III Pope—Affairs of the East—Fifth Crusade—Death of Otho IV—Election of Henry. [1215—1220.

Two years before the coronation of Frederic, in 1213, Innocent had issued summonses for an Œcumenic Council, the twelfth, to assemble, A.D. 1215, in the Lateran, where three had already sat; and early in the month of November of that year the Fathers of the Church appeared at his bidding. This Council was attended by embassadors from the Latin Emperor of Constantinople, from the rival claimants of the Holy Roman Empire—though it is difficult to conceive the envoy of Otho, excommunicated by the Pope, and rejected, if not actually deposed by the Princes of the Empire, presenting himself otherwise than as his master's advocate—from the Kings of England, France, Hungary, Jerusalem, Cyprus and Aragon; by the Patriarchs of Jerusalem, Antioch, and of the Maronites,[126] with representatives of those of Constantinople and Alexandria; by 71 Archbishops, 412 Bishops, and 800 Abbots and Priors; besides deputies innumerable from princes of inferior dignity, and from single cities. The number of persons authorized to take part in the deli-

berations of the Council was estimated at 2,823; and such was the consequent confusion and crowd, that the Archbishop of Amalfi is reported to have been crushed or trampled to death, in the entrance court, at the first congregating of this impersonation of the Catholic Church.

Innocent opened the Council with a sermon or discourse upon a text of Scripture, selecting for the occasion, the 15th verse of the 22d Chapter of St. Luke's Gospel: "With desire have I desired to eat this passover with you before I suffer."—"That is to say," he added, "before I die." With similar discourses, upon different appropriate texts, and each discourse teeming with quotations from the Bible, he opened every separate session. With any extracts from these addresses, much as they were admired, it is needless to trouble the reader: though worth while, perhaps, to state that, in the opening oration, he exhorted the Fathers of the Church to become so many Maccabees: and also, relatively to the rhetorical displays, which the important subjects under discussion called forth, to record a feat by which Don Rodrigo Ximenes, Archbishop of Toledo, astonished the whole Council. He delivered a harangue first in excellent Latin, upon the rights of the papacy; which he repeated with equal fluency and correctness, in the several languages of Spain, France and Germany, for the benefit of any unlearned natives of those countries who might be present. The Fathers of the Church admiringly exclaimed, that, never, since the days of the Apostles, had one man spoken the same oration in so many different tongues.

The subjects, laid before the Council for consideration, appear to have been nine: to wit, 1st, the doctrine of the Church; 2nd, the constitution of the Church; 3rd, the forms of Divine Service; 4th, the moral conduct of the Clergy; 5th, the legal relations of the Hierarchy; 6th, the rights and duties of the several Religious Orders; 7th, the relation of Jews to Christians; 8th, the contest for the Empire between Frederic the Hohenstaufe and Otho the Welf; and 9th and last, the grand object of Innocent's solicitude, for which chiefly had the Council been convoked, the organization of a general Crusade, to be headed by the Emperor, when crowned.

Upon the first of these points, embracing the treatment of heresy, a profession of the orthodox Roman Catholic Faith, which all Christians were bound to profess, was drawn up and published. Bishops were commanded to make yearly, if not half-yearly, investigations, into the religious opinions of clergy and laity throughout their respective dioceses. Every where selecting men of indisputably sound faith, they were to interrogate them upon oath as to the existence or the suspicion of heresy in the parish. They were to call suspected heretics before them, to reason with, convince, convert, and impose penances upon them; punishing obstinate and relapsed heretics with excommunication and confiscation of property. All orthodox sovereigns were charged to banish persons so sentenced; upon failure in which duty, their subjects were freed from the tye of allegiance, and their dominions were declared transferable to more Christian monarchs. Here is, indeed, the embryon, or more, even the nascent Inquisition; but regulated according to Innocent's original principle; viz., the protection of the sound from contagion, by the banishment of the unsound; a punishment esteemed due to what was judged wilful persistence in error; but there is neither sentence of death upon heretics, nor any injunction to deliver them over to the secular arm, unless their banishment be so interpreted. A surprising degree of leniency, when the already mentioned burnings of heretics in divers places are recollected.

With respect to the 2nd, 3rd, 4th, and 5th points, the Council merely enacted stringent laws to inforce upon the clergy the due discharge of their spiritual functions, the observance of an austere morality, as of the rules of Church discipline, and the correct, regular, and respectful performance of all the rites of religion; with one, most stringent, against pluralities. To the previous want of such laws, both Pope and Council ascribed the alarming prevalence of heresy. That the Council enjoined the maintenance of all ecclesiastical rights, privileges, and exemptions, hardly need be said; but some of its decress for the repression of ecclesiastial abuses deserve commemoration. For instance, the hourly increasing abuse of indulgences —which, originally, relating solely to exemption from

temporal Church punishments, had been extended to the alleviation of sufferings in purgatory—was, in various ways, restricted; and annual confession with sincere repentance of all sins, was made indispensable to their availableness. Monks and the secular clergy were alike forbidden to produce relics, unless duly examined and authenticated by the Church. The degrees of affinity within which marriage was forbidden by the canons of the Church, were reduced from seven to four; trial by Judicial Combat or other Ordeal was forbidden, as a presumptuous tempting of Providence; and physicians were ordered to ascertain, prior to paying a third professional visit, that the patient had confessed, in preparation for death.[127] As the sixth point will require to be treated at some length, the seventh may be previously despatched with these four. The decrees relative to Jews merely inforced their complete subordination to Christians, subjected them to divers marks of humiliation in dress, residence, and the like, excluded them from all public offices, and prohibited, under the heaviest penalties, their usurious dealings, that is to say, lending money at interest, however moderate.

With respect to the sixth, it will be remembered, that a great number of new monastic Orders, or, to speak more correctly, of reformed, asceticized—if such a word be allowable—and otherwise modified varieties of the Benedictine Order had arisen during the early part of the twelfth century. This appeared to Innocent to have been carried to an inconvenient excess, and the Council agreed with the Pope that no more new Orders, or offshoots of Orders, should be sanctioned. In opposition to this decree, two petitions for the institution of new, peculiar, and subsequently important, Orders were presented. Dominic de Guzman, the indefatigable converter of heretics, appeared before the Council, to solicit the sanction of an Order of monks, who should devote themselves wholly to the conversion of heretics, under the name of Preaching Brothers; —into which the before-mentioned unpretending association had developed itself—and also of the Rule he had drawn up for their government. He found himself in collision or in co-operation,—which, were hard to say—with another equally remarkable individual, similarly bent upon

obtaining the sanction of a different, if somewhat analogous Order, the offspring of his own devout enthusiasm. This individual was the founder of the Order of Franciscans, St. Francis of Assisi.

In the beautifully, as loftily, situated town of Assisi, in the duchy of Spoleto, A.D. 1182, a son was born to a wealthy merchant, named Bernardoni. This son he carefully brought up, directing his education with a view to making him an able assistant to himself; and as his trade was chiefly with France, the French language was to be especially studied. In this the boy early acquired such proficiency, that his townsmen called him *il Francese* (the Frenchman). And this nickname, modified into the proper name, Francesco, gradually superseded, even in his own family, his baptismal appellation of Giovanni.

In the spring of life, Francesco, unlike his contemporary colleague or rival, Dominic, shared in all the sports and pleasures of youth; sharing in them so keenly, that, whilst he incurred the reprobation of the mature and the considerate, by his companions he was surnamed the Prince of Revels, and the Flower of Youth. To the promotion of these revels he is moreover accused of having diverted the proceeds of some of his father's commercial operations. But even then, during this era of wild dissipation, such pleasures did not wholly engross him. He was as charitable, if not as abstemious, as Dominic, and, to the relief of the indigent, especially of lepers, he appropriated still larger portions of that wealth, which, prospectively only, he could fancy his own. As the youthful burst of exuberant animal life and spirits subsided, his early revelries lost their attraction, overpowered by intense devotion; and now his pilferings were solely devoted to works of charity and godliness. But, for these, so much did he need, and so much did he take, that his father, exasperated at what he deemed absurdly extravagant and dishonest generosity, could no longer be appeased by the more indulgent mother, and he accused his son to the city magistrates of robbing him. They, because part of the young man's anticipations of his heritage had been allotted to the building or repairing of a church, referred the complaint

to the Bishop, who, for the same reason, decided in favour of the son.

This sentence was of course unsatisfactory to the old merchant, whose wrath was, ere long, to be yet further inflamed. Francis, one day, heard a sermon upon the 9th and 10th verses of the 10th chapter of St. Matthew's Gospel: "Provide neither gold, nor silver, nor brass in your purses, Nor scrip for your journey, neither two coats, neither shoes nor yet staves: for the workman is worthy of his meat;" and the effect, wrought upon him, was that wrought upon Peter Waldo by the injunction, "Sell that thou hast, and give to the poor." He immediately discarded every portion of apparel, not actually essential to decency; substituting a cord, round his waist, for the ornamented girdle which then served the purpose of a pocket—to him a complete superfluity, since he thenceforward subsisted upon alms, solicited, not in money, but in broken victuals, and only when he was hungry. He then worked for two years, as a day labourer, at the building of the church, towards which he had contributed his father's property; and, as the wages of his labour, would again receive only the necessaries of life in kind, not the cash wherewith to purchase them;([128]) as though he conceived there were some specific taint in coin, or in pecuniary transactions. At the same time he subjected himself to every hardship he could devise, as wearing haircloth next his skin, sleeping upon the bare ground with a stone for his pillow, wallowing in the snow in winter, scourging himself with an iron chain, and other like practices.

The Bishop of Assisi, deeming all this an exaggeration of asceticism, is said to have remonstrated with the enthusiast; especially blaming his utter rejection of property, and making a duty of mendicancy. Francis humbly answered: "To me it seems harder and more arduous, besides being very hazardous, to accept property, the care of which causes numberless anxieties, provokes strife and war, and quenches our love for our neighbour." The prelate was silenced, and the enthusiast persevered. His brothers turned him into ridicule: he bore it meekly.

His father gave him curses; and he, if the ordinary sense of the word may be thus inverted, adopted a beggar for his father, who should bless, as often as his real father cursed him.

Such eccentric actions in the son of a rich man, became topics of general animadversion. If, on the one hand, they provoked insult and mockery, on the other, they attracted admiring imitation. With those who followed his example, Francis now lived in a sort of voluntary monasticism, giving them, for the rule of their conduct, that of his own, obedience, chastity, and poverty, which he termed the main pillars of a life consecrated to God, and the salvation of the soul. But upon poverty, absolute poverty, which he called the bride of Christ, the root and queen of all virtues, he mainly insisted, perhaps because obedience and chastity were duties common to all monastic Orders, whilst his absolute poverty was a new element of monasticism, borrowed, probably, from the Poor of Lyons; a second and more durable effort to strengthen the Church from the suggestions of her enemies. Charity—a virtue to the practice of which some little property would seem nearly indispensable—charity, limited only by their means, he made an imperative duty of his associates; so literally accepting the rule, that, at a later period of his career, chancing to meet a woman in great distress while destitute of other means of affording relief, he gave her the Bible—even then in use amongst his brethren in the church—to sell. But his notion of charity comprehended, besides alms, that which the poorest may practise, namely, kindness to all men, criminals, ay, robbers and murderers, included. Another duty which he enjoined to his followers was to bear all hardships with smiling cheerfulness, a gloomy countenance being an offence to God. In token of humility, and, possibly, as a mode of evading the determination not to sanction new Monastic Orders, he took for his association the title, not of monks, but of *Fratres*, or even *Fraterculi Minores*, (the lesser or inferior brothers,) usually Englished by Minorite Friars, albeit, from the name he bore, his confraternity is commonly called Franciscan Friars. Their numbers increasing, he sent them forth to disseminate his doctrines;

which they did so successfully, that in divers places similar voluntary associations were formed.

In the year 1210, the future Saint repaired to Rome to lay before the Pope the Rule he had devised, and very circumstantially drawn out, and solicit the papal sanction of his community, under that Rule, as the Order of Minorite Friars. There was nothing so prepossessing in the appearance of the applicant, a small, insignificant-looking man, with a low, narrow forehead, shaggy eye-brows, dishevelled hair, and ragged beard, meanly, even dirtily clad, whose Rule was, in the eyes of the enlightened pontiff, an actual caricature of asceticism, that could counterbalance Innocent's decided objection to any farther multiplication of monastic Orders. His reception of the future Saint was unfavourable, although a traditionary account of it, extant, must be rejected as improbable, because not consonant with the Pope's character; but not omitted, being, like other historical falsehoods, illustrative of the sentiments and manners of the times that gave them birth. According to this story, Innocent's reply to the application was: "Brother, betake thee to the swine, to whom thou bearest more resemblance than to men, wallow with them in the mire, preach to them, and subject them to the rule thou hast devised." Francis is reported to have, as far as depended upon himself, implicitly obeyed this strange command, and then returning, covered with filth, to the consistory, to have said: "Holy Father, I have done as thou bad'st me; now grant my prayer." And the Pope, overpowered by such obedient simplicity, is said to have now complied, regretting his taunt.[129]

Strong evidence, indeed, would be requisite to convict Innocent III of thus idly insulting a well-meaning, if rather extravagant enthusiast, whose extravagance he could not very much condemn, since he ultimately sanctioned the Rule. What is certain is, that, although the great simplicity of his own habits and the dedication of far the larger portion of his income to acts of charity and works of piety, or of public utility, must acquit Innocent of any predilection for ecclesiastical pomp and luxury, he did object to the excessive austerity of the Franciscan

code, as too much for human nature. Francis defended it from the Bible, quoting chapter and verse.(130) In the end, he prevailed upon the Pope, not actually to constitute his Order of Minorite Friars, but to give it a provisional, temporary sanction.

Thus strengthened, Francis despatched friars as mendicant missionaries throughout Europe, and everywhere they succeeded in establishing cloisters of their Order, except in Germany, whence a ludicrous blunder is said to have occasioned their temporary exclusion. The missionaries destined for Germany had undertaken their task, without thinking it necessary to learn the language of those whom they were to address; but soon acquired the word *Ja*, Yes, which they found a very satisfactory answer when asked if they wanted food or shelter. But unluckily they overrated the efficiency of the serviceable monosyllable; and to a question whether they were heretics, returned the *Ja*, which constituted the sum total of their German: whereupon they were of course ill-used, imprisoned, and finally expelled the country.

Nor were the cloisters, dedicated to Franciscan asceticism, occupied by the stronger sex alone. At Assisi, a young, beautiful, opulent, and high-born maiden, named Clara Sciffi, was captivated by the austerities of the Minorite Rule, and, in the year 1212, devoted herself to an analogous mode of life. She was speedily joined by maids and widows, even by wives, and became the foundress of the Order of Franciscan Nuns of St. Clare. Franciscan nunneries everywhere multiplied, nearly as fast as the houses of Friars; and, as nuns could not, consistently with their vows and law of seclusion, go out a-begging like friars, the friaries were ordered to share the produce of their eleemosynary collections with mendicant sisterhoods.(131) But mendicancy was not, in the idea of Francis himself, the exclusive means of subsistence for his Order. That he had earned his own bread, as a day labourer has been seen; and the words of his Rule are that either by labour or by begging, the necessaries of life are to be procured.(132) The nuns might therefore support themselves within their walls. The increase of Franciscans of both sexes was so rapid, that, for the purpose, it

is said, of averting the consequent depopulation of Europe, the Founder instituted a class of lay Franciscans, after the manner of the lay Templars, who married and mixed in worldly affairs, but led a sort of methodistical or quaker-like life, distinguishing themselves by their plain, grey habiliments, shunning gay scenes and amusements—though these last restrictions were, under certain circumstances, dispensed with;—never bearing arms, nor, if possibly to be avoided, taking an oath.

Franciscans next proceeded, as missionaries, amongst the Mohammedans and Heathen. A company of six, who in that character repaired to Africa, were all beheaded for blasphemy against Mohammed. They were envied by those of their brethren, who either remained in useless safety at home, or had undertaken less perilous missions; and are still honoured as the first Franciscan martyrs. Their fate acted as a stimulus to him who needed none, the Order's founder.

Trusting in the testimony, borne to the merits of his institution, by the prodigious increase of his confraternity, even whilst so imperfectly sanctioned, Francis presented himself before the Council, to solicit the positive and final establishment of his Order. He, upon this occasion, met Dominic, and the two founders of rival Orders, conceived not merely an intense respect, but a warm friendship, for each other. It has been asserted by Franciscans, but is denied by the Dominicans, that the Spaniard was so impressed, and charmed by the superior austerity of the Italian's Rule, as to have proposed the blending of the two projected Orders into one; which Francis declined, upon the ground, that the very diversity existing between the two, by inviting individuals different in character, disposition, and station, would augment their joint usefulness. And, in truth, the idea of blending an Order, one of whose main duties was mental cultivation, to fit the brethren for their great business, viz., preaching and converting heretics, with another that professed to despise all human learning, as idle vanity, devoting whatever time could be spared from religious duties, to manual labour for the support of life, seems too preposterous to have been entertained by Dominic. Though it must not be forgotten that the

Franciscans, despite their profession of ignorance, have produced many men celebrated for their learning;—can it be necessary to name Roger Bacon, Duns Scotus, or Cardinal Ximenes, as Minorite Friars?—and that, in later times, their reputation for mathematical science procured for them the somewhat heterogeneous office, of directing the military school at Brienne. But that Dominic was much and admiringly struck with the superior austerity, and especially by the poverty, which is the very basis of the Franciscan constitution, appears from the fact, that he, who had previously accepted moderate endowments of lands and tithes for his Dominicans, subsequently, if not from this moment, adopted the principle of poverty; and not only refused all offers of the kind, but restored what he had accepted, except small endowments for nunneries, as substitutes for the begging expeditions,—to nuns impossible.

The Council refused to rescind, or to violate its recently published decree, against the further multiplication of monastic orders. But, as both the Pope and the assembled prelates recognised, in the disappointed petitioners, invaluable supporters and champions of the Church, assailed as she then was by heresy, means were sought and found of evading the absolute rejection of their services. To Francis, the provisional authorization he had obtained some years back from Innocent, was confirmed and extended; thus leaving him and his Minorites in the same uncertain position in which they previously were, though encouraged by the repetition of the partial sanction. Dominic's project offering less difficulty because less novelty, he was advised to adopt, with slight modifications, the Rule of some existing order of monks. He complied, making choice of the austere Præmonstratensian branch of the Augustinian Canons, to whose Rule, as before said, he superadded, amongst other things, Franciscan poverty, somewhat qualified. Thus was the institution of Mendicant Friars[133] so far sanctioned by the Council, as to insure their future existence. And, in a general point of view, this was perhaps the most important result of its assembling; for so rapidly did these two Orders increase, that, before the end of the century, Europe contained 417

Dominican and 800 Franciscan cloisters, including nunneries. The great numerical superiority of the latter is explained, by the ranks of the studious Dominicans being almost wholly recruited from amongst the higher, and educated classes, whilst those of the ruder and more enthusiastic Franciscans, were thronged by the ignorant of lower grade: thus making good the words ascribed to their founder, respecting the value of the difference between the Orders. Both, in their several ways, made good the expectations formed of them, as able and energetic supporters of the Church of Rome; and, during the whole of this century and the next, the Franciscans were the ardent, fearless teachers of Christianity, where its diffusion was attended by most danger.

But, that which Innocent deemed the most important business to be transacted, that, for which he had in fact convened the Council, was the organizing an European Crusade for the recovery of the Holy City, and the re-establishment of the kingdom of Jerusalem, such as it was under the earlier Baldwins. To this object, he held the 8th point submitted to the judgment of the assembled Church, namely the decision between the contending claimants of the Empire, indispensable, Otho's pretensions being an obstacle to Frederic's leading the proposed hallowed enterprise. Otho's right was earnestly asserted by the Milanese; nevertheless the Council, as will have been anticipated, confirmed his excommunication, and pronounced Innocent's late ward and present favourite the lawful Emperor. This preliminary step completed, the Pope, with the full concurrence of the Fathers of the Church, called upon all Christian men, of all ranks and conditions, to take the Cross. Equally with their full concurrence, he called upon all princes and nobles who did not take it, as upon all municipalities, and even villages, to equip, and during three years support, Crusaders for the expedition, in numbers proportioned to their means. The whole body of the clergy was similarly called upon to subscribe five per cent. of their respective incomes, and the Cardinals ten per cent. of theirs, towards the expenses of the Crusade, to which Innocent's own contribution was most liberal. Finally, Messina and Brindisi were appointed

as the places of embarkation for Palestine; and at one of these the Holy Father promised to join the Crusaders in June 1217, whilst a Legate should accompany and guide those who might prefer the land journey.

The remaining business of the Council related to what may, comparatively speaking, be termed the settlement of private disputes, only one of which is worth noticing here. This was the affair of the principality of Toulouse, the final decision of which the Pope had expressly reserved to this Council. Earl Raymond, with his son and his two great vassals, the Earls of Foix and Comminges, appeared before the venerated body, bringing letters from King John, of England, entreating and urging the Council, to do his brother-in-law and nephew justice. The Earls knelt to the Pope, professed their entire submission to his injunctions, and complained of their utter spoliation by Simon de Montfort. The Archbishop of Narbonne, in his anger at the insatiate rapacity of the conqueror, spoke strongly in behalf of those who had been his own, as well as that conqueror's, victims. But it is said to have been a Chorister (*Chantre*) of Lyons,([134]) whose eloquence convinced the Pope that he had been completely misled and disobeyed by his Legates. Innocent was inly moved, both by the discovery that he had been deceived, and by the wrongs these princely nobles had in consequence suffered. Kindly he raised them, and declared that his commands had been transgressed; that de Montfort had no right whatever to the dominions of the Earls of Toulouse, which, even supposing Raymond VI to be guilty, belonged to his son, Raymond VII. But the Bishop of Toulouse, with other prelates of the south of France, who had been accomplices in the transgression of the papal commands, and had not the Archbishop's motives for changing sides, spoke vehemently in favour of the actual state of the country, charged Raymond with still tolerating heretics, and intimated, if they did not declare, that, whatever the decision of the Council, they would support Earl Simon against the world. These arguments and threats, aided by de Montfort's gold, which is reported to have been freely distributed amongst his judges, prevailed. The Council decreed, that Earl Raymond, the father, by his

sinful protection of heretics, had forfeited everything he possessed, so that only as an act of charity was a bare subsistence assigned him. To his Aragonese Countess her dower was preserved; and to his son Raymond VII, the issue of his first marriage with the Queen-dowager of Sicily—though pronounced guiltless, as having been too young to participate in the offences imputed to his father —of all that father's extensive possessions, only those situated in Provence, fiefs of the Empire, and as yet unassailed, were allotted. Innocent—dreading beyond all other evils a schism in the Church—notwithstanding his exalted ideas of the papacy, bowed to the decision; but with a reluctance that he marked by the assurances of constant favour and protection with which he dismissed the young Earl.

Some of the old chroniclers(135) depict a scene between Innocent and Raymond the son, of which, even if it be not a little indebted to their imagination, Barrau's version is worth extracting. Raymond VII, then about nineteen years of age, having waited upon the Pope to take leave, after the Council had dealt thus hardly by his father and himself, Innocent raised him from his knees, seated him by his side, and said: "Listen to me, my son, and if you govern yourself by my counsels you shall always do well. Love God above all, and be careful to serve him: Never take the property of others, but defend your own if any one would deprive you of it. So acting you will never want for domains. And, that you may not meanwhile be too short of lands and lordships, I give you the Comté Venaissin with all its dependencies, Beaucaire and Provence" [this last seems to be the marquesate that the Council had allotted him], "to provide for your subsistence, until the Church shall again assemble in Council. At that new Œcumenic Council you may present yourself, and justice shall then be done you, in respect of your claims against the Earl of Montfort." "But if in the meanwhile, Holy Father," young Raymond, in accents of entreaty, inquired, "I can expel from my hereditary domains this general and the other robbers [*larrons*] who have stolen them, may I pray your Holiness not to be wroth with me?" Innocent returned no direct answer,

but dismissed him with these words: "Whatever you attempt, my son, may God in his mercy give you grace to begin well and to end better!"

When the Council had terminated its labours and separated, Innocent proceeded to pave the way for the eagerly anticipated Crusade, by undertaking the arbitration of dissensions and quarrels, together with the reconciliation of enemies; such broils and feuds appearing to him, if small in themselves, to be amongst the chief impediments obstructing the holy war, which he had so much at heart. The principal of these impediments he esteemed the hostilities between the rival commercial republics of Italy, and, analogous in character though different in importance, the civil war in England, complicated as it was with a foreign war, now that Prince Lewis of France headed the insurgents. In vain had Innocent, since John's submission to Rome, commanded the French Prince to renounce his pretensions. In this matter, momentous as he felt it, he could interfere only vicariously and from a distance; but one of the last acts of his pontificate was to excommunicate Lewis and his partisans. The mediation or arbitration in Italian dissensions he undertook in person.

In Italy, Frederic's maternal heritage had, under the regency of Constance, remained much as he found it at his majority; the broils that had so long harassed it, gradually subsiding. The insular was, however, the earliest tranquillized, portion; for, upon the continent, only in the current year, 1216, did Naples, renouncing Otho, submit to her lawful King. It was in the other parts of the peninsula that the feuds existed, which Innocent felt called upon to appease in person. In Lombardy, Milan adhered firmly to Otho, and in consequence lay under interdict; but, since she had compelled Pavia to join the League, and fancied resistance to her domination extinguished in Lombardy, her pride had been deeply wounded. Pavia, burning for revenge, had sought the alliance of Cremona, and the troops of this last city were on their march to join those of the former, when, upon the 2nd of June, 1213, they were surprised near Castiglione, and surrounded by the far more numerous combined forces of

Milan, Como, Brescia, Crema, Lodi, Piacenza, and other members of the League. It was Whitsunday, and the pious Cremonese requested that the engagement might be deferred till Monday. But the Milanese, little scrupulous, eager to profit by their very superior numbers, and fearful that their enemies might receive reinforcements during any delay, instantly attacked them. The Cremonese fought with the energetic impetuosity of desperation, invigorated, perhaps, by the conviction that God must resent the refusal to reverence a holy day;(137) and thus, after a hard struggle they gained a victory so complete, that, besides a multitude of prisoners, the Milanese *carroccio* itself was taken. In the ensuing autumn the Milanese suffered a second defeat, this time at the hands of the Pavians, and lost 2000 men together with their camp. But they were irritated rather than humbled, and still in arms against the partisans of Frederic and the Pope.

Hostilities were indeed rife throughout Lombardy and Tuscany. If Venice and Genoa had made peace, whether at the Pope's persuasion or from downright weariness of a war unprofitable to both parties, Genoa was still battling with Pisa, and many minor cities with each other. Florence, just rising into wealth and power, was, how ambitious soever, too much divided internally to take any great share in these broils of town with town, or of Guelph with Ghibeline, but was equally incapacitated to assist in a crusade. These internal divisions hardly merit the name of political, arising, as they did, out of a quarrel between two great families, in which the friends and connexions of each took part. The aggravation of this old feud to the degree that thus insulated Florence, was the consequence of an attempt made the preceding year, 1215, to extinguish it, by arranging the marriage of a son of the one house, the Buondelmonte, and a daughter of the other, the Amidei. Upon the day appointed for the preliminary ceremony of exchanging rings, a matron of the house of Donati, always hostile to the Amidei, contrived to meet the Buondelmonte bridegroom, and by taunting him with the homely features of his Amidei bride, whilst exhibiting to him the matchless beauty of her own daughter, seduced him to break his engagement, at once

plighting his faith irrevocably to the fair flower of the Donati. The indignant Amidei and their kinsmen the Uberti assassinated the inconstant Buondelmonte on his way to his betrothal; on either side the vindictive passions blazed out, and the whole city embraced the one side or the other. In course of time, as Frederic favoured those who had originally been wronged, the Amidei and Uberti, they became Ghibelines; which of course made the Buondelmonti, Donati, and their friends, ardent Guelphs; but, in 1216, neither party had adulterated their private animosities with extraneous sentiments.

All these various feuds, broils, and enmities, Innocent trusted, by his personal influence, to appease; turning the minds of men freely to his own chief purposes, the recovery of the Holy places and the re-establishment of the kingdom of Jerusalem. Upon this pacific mission, doubly sanctified, in the ultimate and in the immediate object, he quitted Rome; but was not to accomplish even this preliminary object. He was detained at Perugia, by illness, alike sudden and alarming. The account of his malady given by an old chronicler,[138] exemplifies the state of medical science in the first quarter of the thirteenth century. His complaint is stated to have been, in the first instance, a tertian ague, turned, by mismanagement into a high fever; which high fever, being increased by the patient's obstinate persistence in eating oranges, ended in paralysis and death. It must be added, however, that another contemporary writer,[139] imputes the increase of fever to indulgence of the patient's appetite for aliments more substantial and heating, than oranges. However caused, the catastrophe took place July 16, 1216, in the fifty-sixth year of the age of this really great Pope.

Yet, great as Innocent III indisputably was, prodigiously as he extended both the spiritual authority and the temporal power of the papacy, he died a disappointed man: conscious that he had been repeatedly the dupe of his legates, that his name had served to sanction injustice, even crime; and defeated not only as to the object nearest his heart, namely, the organization of a Crusade for the recovery of Jerusalem, but, also, in other compensatory objects, to which he had looked for solace, under those

miscarriages and mortifications. His exertions in behalf of the Holy Land had, in the first instance, been baffled by Venetian policy; and the compensation he anticipated, in the healing of the great schism, the re-union of the Greek with the Latin Church, was not achieved; nay, more, the Latin Patriarchs of Constantinople, infected with the spirit, if not with the opinions of their Greek predecessors, aimed at independence of the Pope, as complete as could those schismatic predecessors. Subsequently he thwarted himself, by diverting the crusader-impulse from the recovery of the Holy Land to the conversion of European Heathen and Heretics; where, again, the expected compensatory fruits eluded his grasp; neither Heathen nor Heretic appearing to be converted. And, when at length he thought his object attained, and the Crusade, which he evidently proposed to lead in person, springing into existence, he found his active career prematurely closed. With respect to his government of the Church, the generally beneficial use made by Innocent III of all church patronage, probably spared him the pain of suspecting that his extension of the right claimed by Adrian IV, of presentation under certain circumstances, had opened the door to abuses, which, under his successors, became so gross as to alienate men's minds from the Popedom.

Upon the very day of Innocent's decease, the Cardinals, who had attended him to Perugia, or been drawn thither by the tidings of his danger, elected as his successor the aged Cardinal-Chamberlain, Cencio di Savelli, who assumed the tiara as Honorius III. The first care of the new Pope, was the inforcement of all the measures of his predecessor, relative to the announced Crusade; and his name as Pope is said to have enlisted many Crusaders, inasmuch as a prophecy that the Holy City should be recovered under the third Honorius was in circulation. But many were the obstacles to be overcome ere he could hope to see even the dawn of the day, upon which, with any promise of efficiency, the hallowed enterprise might begin.

In Italy, the wars, feuds, and broils, which Innocent was labouring to appease, when cut off in the midst of his

exertions and his hopes, engrossed all energies. In Germany, if Frederic II, still the most dutifully obedient son of the Church, was crowned and generally acknowledged, the ex-Emperor had not submitted. He was not, indeed, at that moment, in arms against his successful rival, because involved in Archbishop Waldemar's feuds with both this prelate's archiepiscopal rival and the King of Denmark. Through his support of his forsworn kinsman, Otho, apparently, projected recovering some of the Slavonian territories, forfeited by his father; but, whilst a competitor, lawfully elected and crowned, still asserted a right to the throne, the new monarch could not be expected to leave his recently regained patrimonial kingdom, upon an expedition of uncertain length to a remote country. Moreover, all German crusading zeal had found ample and easy vent against either the Prussians and Livonians, or the Albigenses; both which Crusades were still in action. Under colour of the last, de Montfort was still endeavouring to wrest the duchy of Narbonne from his former confederate the Archbishop, and to despoil the Earls of Toulouse of the pittance left them; whilst the Earls were as desperately struggling to recover their lost principality. De Montfort, strengthened by the sentence of the Council, now claimed the support of his liege lord, King Philip, in his enterprises; whilst Philip's son, with underhand assistance from his father, still contended for the English throne; continuing so to do even when John's death, in October of this same year, by removing the object of universal hatred and contempt, had recalled the Barons of England to their natural allegiance, depriving the French pretender of all English partisans. Thus were the kings of neither France nor England, any more than the Emperor, in circumstances to undertake a Crusade: even if Philip's crusading propensities had not been abundantly satiated by his share in the siege of Acre, and if Henry III had been of man's estate. The Spanish peninsula offered the old story, warfare against the Moors, amply discharging the duty of fighting for the Cross against the Crescent. And the only European princes in a position enabling them to prepare for a Crusade, were the, little powerful, King of Norway and the King of

Hungary. But even here occurred at least interruption. The attention of Andreas was diverted, if only for a short time, to the affairs of the Latin empire of Constantinople.

There the Emperor Henry had, by about a month, preceded Innocent to the tomb; not without the ever-recurring suspicion of poison: in his case, resting solely upon his age—he had not completed his fortieth year—since no one appears to have had anything to gain by murdering him. Henry left no children by either his Italian or his Bulgarian wife, and the Latin Baronage was divided as to the choice of a successor. In adherence to the already chosen race they were unanimous, but differed as to the individual to be selected. One party declared for the sister of the two deceased Emperors, Yolanthe—who had already inherited Namur from a third brother—and whose husband, Pierre de Courtenay, Comte d'Auxerre,—a French Prince of the blood, Lord of Courtenay and other French domains in right of his mother, the heiress of the Courtenays—had personally distinguished himself in the Crusade against the Albigenses. The other party preferred a daughter of Yolanthe's, married to Andreas II of Hungary, since the murder of Gertrude von Andechs.(140) This party proposed, by union with that country, to prevent the war, which they judged Andreas was preparing to wage against them, for the recovery of the suzerainty over Servia, his predecessors' imperfect possession of which had been torn from them, by the Byzantine emperors, ere Latin conquest, followed by division and subdivision had quite debilitated the Byzantine empire.

Negotiations were opened in both directions; but in Hungary external influences interposed. The Pope solemnly admonished Andreas against usurping the heritage of his consort's parents; whilst the Venetians vehemently protested against any augmentation of the power of their neighbour and rival in Dalmatia, the King of Hungary. Whether actuated by religious reverence for the supreme pontiff or by policy, Andreas declined the Byzantine crown.

Pierre de Courtenay, on the other hand, eagerly accepted the offer for himself and Yolanthe. He sold or mortgaged

most of his French patrimony to procure the means of raising troops, and at the head of 140 knights, with 5500 sergeants(141) and archers, set forth with his Countess to take possession of their empire. Unfortunately, instead of travelling by land through Hungary—perhaps distrusting his son-in-law—he applied to Venice for means of conveyance by sea to Constantinople; and, without awaiting an answer, hurried to Italy. There he first visited Rome; and delightedly Honorius crowned him and Yolanthe Emperor and Empress of the East-Romans,—but outside the walls of the Eternal city, as a guard against any possible revived claim of Byzantine sovereignty.

This coronation, A.D. 1217, was all that Pierre was destined to enjoy of his new dignity. The demands of Venice for the use of her ships, were exorbitant beyond the amount of his remaining funds: whereupon the Republic proposed to him, as, in 1202, to the Crusaders, to pay for his passage by military service. Theodore Comnenus, who had succeeded Michael as Despot of Epirus and Etolia, had recently conquered Durazzo from Venice, and she offered the new Emperor to transport him and his to Constantinople, upon condition of his first recovering Durazzo for her. He readily agreed; and the Empress, then near her confinement, was safely conveyed to her capital, where she presently gave birth to a son, named him Baldwin, and died. The Emperor, with his little army, was, meanwhile, transported to the intended scene of action, and made the promised attack upon Durazzo, but failed. The Legate accompanying him, then negotiated a convention between him and Theodore: in direct violation of which, the Greek Prince surprised and seized Pierre. He was never heard of more.

So thoroughly had Pierre's election, with his coronation by the Pope, superseded all thoughts of the rival candidate Andreas, that, when tidings of the expected sovereign's death or disappearance reached Constantinople, the crown was deemed the heritage of his sons. The eldest, Philip de Courtenay, preferred his county of Namur and his French patrimony, however burthened, to the more brilliant but less secure Eastern empire, and the second son, Robert, was, in his stead, called to the throne. The

warlike Theodore of Epirus soon afterwards conquered the kingdom of Thessalonica from the infant son and successor of Boniface, and, at Adrianople, he also assumed the title of Emperor.

The King of Hungary, upon renouncing his pretensions to the Latin empire of Constantinople, resumed his preparations for the crusade, for which, being short of cash, he seized the dower of his widowed sister-in-law, Queen Constance. In August 1217, not long after the time appointed by Innocent, he actually began his march; accompanied by his brothers-in-law the Duke of Meran, and the fugitive Bishop of Bamberg — the Margrave of Istria had long been in Palestine—by the Duke of Austria, the Archbishop of Salzburg, and some other German princes and prelates. Casimir, one of the Pomeranian Dukes—the title now borne by the hereditary princes—led a body of Slavonian Crusaders to join him, and a small band of Norwegians followed; whilst, in western Germany, where the crusade against the Prussians and Livonians was less attractive, a kindred spirit having been awakened, a fleet of 300 vessels sailed, about the same time, from the mouth of the Rhine, for Palestine.

There, little change had occurred. In 1210, the young Queen, Maria Yolanthe, being then deemed of marriageable age, her uncle and guardian, the Baron of Ibelin, had despatched embassadors to Europe to select a candidate for her hand, who could bring with him a formidable band of Crusaders, if not raise a regular Crusade. Their choice, guided by the Pope and the King of France, fell upon Jean de Brienne, a younger brother of that Gaultier de Brienne, who, by his marriage with Tancred's daughter, Albina, had acquired the principality of Tarento and the county of Lecce. This younger brother was a gallant warrior; he had been one of the conquerors of Constantinople, though he had gathered only laurels, not a principality, there; and he eagerly closed with the proposal of marrying the Queen of Jerusalem. But the circumstances of Europe baffled the hopes that the chosen bridegroom would be accompanied by a powerful European host; and he brought with him a small band of French knights only, when, in September, 1210, he landed at

Acre; he was, nevertheless, immediately married to the Queen.

Tyre had been satisfactorily and permanently reunited to the kingdom by the accession of Maria Yolanthe, heiress of him who had styled himself independent sovereign of that principality. Cyprus, indeed, by the death of Queen Isabel's fourth husband, Amalric, had again been severed from it, the island falling to his son by a former marriage; but King Hugh now married Maria Yolanthe's half-sister Alicia, Isabel's daughter by her third consort, Henry of Champagne; and the natural political alliance of the kingdoms was strengthened by the ties of kindred. The young Queen of Jerusalem did not very long survive her marriage; but she left a daughter, named Yolanthe; and, either as guardian of his child, the baby Queen, or retaining the crown once placed upon his brow, as Guy de Lusignan had claimed a right to do, Jean de Brienne remained *de facto* King of Jerusalem.

He was statesman enough to perceive that, unless the earlier Crusades were renewed, the very small kingdom which he had been called to govern, could exist only by the sufferance of its Moslem neighbours. Upon undertaking the regal office, he had found the truce, concluded between Amalric and Malek el Adel, broken; the Templars and Hospitalers, in unusual and now mischievous union, having procured the rejection of the Sultan's proposed renewal, and actually provoking war with his son, Isa Moadham, his Lieutenant at Damascus. But King John won the Hospitalers over to his own views, which were habitually those of the Palestine magnates; and such peace being desirable to Malek el Adel's sons, who were embroiled amongst themselves, was soon virtually, if not formally, restored. Delighted with this re-establishment of tranquillity, John had, ever since, diligently watched over the observance of the truce, and could derive no satisfaction from such an armament as that of Andreas; which, if more considerable than a band of private, crusading pilgrims, had more of that character than of a European Crusade. For small was the number of Crusaders supplied to the King of Hungary's land armament by the Rhine fleet. As usual, it put into the Tagus; where, also as usual, the

Crusaders were persuaded by the King of Portugal to pause,at least, and fight the Mohammedans with him. Only the sturdy Frieselanders, resolutely persevering in the purpose for which they had left their homes, prosecuted their voyage and joined their Hungarian and German comrades.

The Crusaders being so far united, the two kings differed as to military operations. Marauding incursions into the provinces conquered by the Saracens, — the favourite expeditions of Crusaders,—whilst they wrought as much evil to the Christians remaining there as to their masters, naturally provoking Moslem enmity towards those whom the Crusaders came to assist, left them in increased danger. Through this disagreement as to plans, the only exploit of Andreas, was, upon one occasion, to drive Malek el Adel beyond the Jordan; thus affording to all the Crusaders an opportunity to bathe in the sanctifying stream; his only works of utility were repairing the fortifications of Cæsarea and building a castle. This last was just completed, when, early in the spring of the following year, 1218, he was suddenly taken ill; he declared that he was poisoned;([142]) announced evil tidings from Hungary, peremptorily requiring his presence there; and, although the Patriarch of Jerusalem, who was ordinarily invested with legatine authority, excommunicated him for deserting the kingdom, amidst the hostilities in which he had involved it, immediately took his departure. He carried home with him a daughter of the Nicene Emperor, Theodore Lascaris, for the wife of his son, Bela. But as he passed through Bulgaria on his way, he was detained in a sort of captivity, by a second Azan, till he affianced his own daughter to his captor's son.

Only the Hungarian Crusaders departed with Andreas; his German associates remained in Palestine, a little better to perform their vows, and were speedily rewarded by the arrival of reinforcements. The Rhinelanders, who had begun their Crusade in Portugal, had proved as useful to Affonso II, as had their predecessors to Affonso I. But no recovery of peninsular provinces could reconcile Honorius to such a perversion of their crusading vow. Earnestly he remonstrated against this desertion of the duty they had voluntarily taken upon themselves, and, although

many, allured by the Portuguese monarch's promises of lands and lordships, adhered to his service, the Pope's exhortations prevailed with the majority. Early in the spring of 1218, re-embarking, under the command of William Earl of Holland, they reached Palestine shortly after the departure of the King of Hungary. The Crusaders now really formed such a body as, combined with the military Orders and the Palestine forces, might achieve some important object; and John, with the full concurrence of the Patriarch, adopting the revived idea of Amalric I, that the possession of Egypt was essential to the existence of the kingdom of Jerusalem, proposed to the Duke of Austria and the Earl of Holland, the invasion of that country. They assented, and the army set forth under the King's command.

In the earlier position of Syro-Franks and Crusaders, Honorius (apparently a mild-tempered pontiff, really attached to his former pupil) had refrained from urging the newly-crowned German monarch to proceed on his promised crusade, duly appreciating his difficulties. In the spring of 1218, simultaneously with renewed activity in the East, calling for support, a change seemed to be in progress at home, that might enable Frederic to quit Germany. His competitor, Otho, still formidable even whilst quiescent, was taken seriously ill, and his malady rapidly increased. Apprehending his danger, the ex-Emperor now submitted to all the penances enjoined by ecclesiastical authority, as indispensable preliminaries to his relief from excommunication. He commissioned his brother, Palsgrave Henry—who had, seemingly, ransomed himself from the prisons of Philip Augustus—to deliver up the regalia to the unanimously elected King, acknowledged and sanctioned by the Pope, even should the King refuse to restore him the palatinate—forfeited, by sentence of the Diet, for his adherence to his brother. This done, Otho was re-admitted into the bosom of the Church; and upon the 19th of May, 1218, he died.

The principal, the generally allowed impediment, to Frederic's Crusade being thus removed, the Pope began to press for its commencement. But still Germany was not in a state to be left, even for the brief space of time required

by the Coronation-Progress; and the Pope, aware that Frederic must needs be impatient for the Imperial Crown, acknowledged the reality of hindrances suffered to impede this object. They were various. Some of the princes were still refractory to his authority; some, at feud with each other. The chief of the feuds was that of Henry of Brunswick with the Duke of Bavaria, for the Palatinate of the Rhine, with which, when pronounced forfeited, Frederic had rewarded the faithful attachment of the Head of the House of Wittelsbach. In addition to this, and other internal wars, a Frenchman was in possession of some fiefs of the Empire, his right to which the Diet denied. This case arose out of the marriage of a dowager Duchess of Lorrain to the Earl of Champagne, who occupied the fiefs—her dower, probably—in her right, whilst the Diet protested against their being held by a foreigner. This is one of the first instances met with of an objection of the kind; and whether it originated in experience of the awkwardness of such double vassalage, when the two suzerains of one vassal were at war, or simply in the widowed Duchess having re-married without seeking her liege lord's consent, is not clear. Another circumstance detaining Frederic in Germany was the death of the Duke of Zäringen without children, whereupon a whole host of collaterals claimed, and were ready to fight for, his heritage. The extinction of a powerful and generally hostile dukedom promised increase of power to the sovereign; but, for the moment, presented a tangled skein of interest, which only the strong hand of the master could disentangle without bloodshed. To these public affairs, requiring the immediate attention of monarch and diet, must be added more private concerns of Frederic's. He was determined not to undertake an expedition so distant and of duration so uncertain as a Crusade, until he should both have secured his son's succession, and received the Imperial crown.

The weight of the public difficulties Honorius admitted, and again postponed the period fixed for the Crusader's embarkation. But some of these gradually disappeared. Refractory princes submitted, belligerents were reconciled; and Frederic happily succeeded in negotiating a compro-

mise of the most important feud. Palsgrave Henry, like his predecessor and father-in-law, Palsgrave Conrad, had no living son, though richer than him in daughters, of whom he had two. The eldest, a second Agnes of the Palatinate, Frederic had acknowledged as its heiress, and, by arranging her marriage with the eldest son and heir of the Duke of Bavaria, blended the two claims; prevailing upon the Duke to be content with having secured the splendid reversion to his son, and the permanent annexation—he might reasonably hope—of the Palatinate to Bavaria,(143) and leave the Palsgrave in possession for his life. The younger daughter was, at the same time, endowed prospectively with a smaller, but still handsome portion, of her father's forfeited estates, and given in marriage to one of the collateral heirs of the Dukes of Zäringen. This kinsman of the extinct house, having the Breisgau assigned him as his share, to which internal district of Swabia was attached the little-appropriate title of Margrave—retained by the Zäringen from the March of Verona, though merged in their higher title—rose in importance, as Margrave of Baden, amongst the princes of the Empire. The Palsgrave, who, notwithstanding Otho's penitent injunctions, had hitherto retained the regalia, now, in token of his satisfaction and loyalty, surrendered the whole to Frederic. The bulk of the Zäringen possessions, fiefs, and allodia, were divided betwixt the late Duke's two sisters, the Countesses of Urach and Kyburg.(144) Zurich, and some few fiefs, Frederic claimed, as lapsing to the crown for want of direct male heirs; whilst other Swiss towns, as Freiburg, Solothurn or Soleure, and Berne, which the late Duke had ceded to him at his coronation, in return for the confirmation of his hereditary rectorship of Burgundy, were raised to the position of Free Imperial cities. The remaining property was distributed amongst remote collaterals. The rectorship of Burgundy Frederic attached to the duchy of Swabia, which he now conferred upon his little son. In this same year, 1218, Frederic answered at the font for the baby Rudolph of Habsburg,—grandson of the above-named Countess of Kyburg, by her daughter, the Countess of Habsburg, and his own distant relation;—in after years the worthy successor of the Swabian dynasty.

In the following year, 1219, Honorius pressed Frederic to fulfil his crusading vow, and carry succours to the King of Jerusalem, whom his invasion of Egypt had involved in many troubles and embarrassments. Frederic professed eager anxiety to afford the Holy Land and its sovereign the assistance so urgently needed; but represented his immediate departure as impossible, praying the Holy Father to assist in removing the obstacles, by menacing the still refractory German princes with excommunication. The Pope was so far satisfied, that he postponed the Crusade for another year; and Frederic employed the interval in effecting the object that he had most at heart, to wit, the election of his son—now about eight years old, and with his mother, Queen Constance, in Germany—as King of the Romans. Two impediments were in his way. The first was, that, being himself only King of the Romans, not yet crowned Emperor, the election would be irregular. True, Conrad III was in the same position when his son was so elected; but that son was of an age really to act as king, whilst his father was absent upon his Crusade. The second, and more serious, was the certainty, that the Pope would determinately and strenuously oppose a measure, which, so intended or not, seemed calculated to perpetuate the union of the Sicilian realms with Germany and the Empire. Whether this were Frederic's project, his conscience being satisfied with the plea, that the promise was unfairly extorted from his boyish inexperience and absolute need of papal support, or he merely desired to retain the choice between the Sicilies and Germany in his own breast, there are no means of judging. For the moment, he was simply intent upon profiting by the glow of loyalty, probably ephemeral, which his success had enkindled amongst the Princes of the Empire. His cordial reconciliation with the Rhine-Palsgrave, the husband of his kinswoman, rendered the acquiescence of a majority of the temporal princes reasonably certain; but the question was, how to gain their spiritual brethren, notwithstanding the anticipated Papal opposition; and gain them so suddenly, as that the election might forestall such opposition. Frederic saw an opening, in the dissensions between the

Archbishop of Mainz and the Landgrave of Thuringia, which made the powerful prelate desirous of gaining the Sovereign's favour. Of this state of affairs he judiciously took advantage, and, by confirming, even enlarging Otho's concessions to the prince-prelates—in modern phraseology the ecclesiastical interest—finally accomplished his object. The list of these concessions, in which some German writers have seen the origin of all German liberty, others that of Germany's decline and downfall, is not a little instructive, as to the social and political state of the country at the time; and with respect to some of them, the modern reader may be chiefly inclined to wonder how, in any tolerably organized state, they could have to be granted. They were:

Neither the King nor any lay prince shall seize the property of deceased ecclesiastics, which, if there be no heir, either natural or testamentary, shall belong to the successor. [This refers to the private, family property of ecclesiastics, which they were entitled to dispose of by will; their professional income, including savings therefrom, was, and remained inalienably, church property.] In the lands and jurisdictions of prince-prelates, the King shall not, without their express consent, either impose new tolls, or establish new mints, neither shall he suffer their coins to be elsewhere unlawfully counterfeited. Villeins and thralls of the church shall not be harboured in any city or by any layman; and church-lands shall not, under colour of protection, be damaged by their lay and noble Stewards (*Vögte*). No one shall seize upon fiefs that have lapsed to prince-prelates. Whoever does not within six weeks obtain relief from excommunication shall fall under the ban of the Empire, shall not sit as Judge in, or appear as plaintiff or witness before, any tribunal, upon condition that the ecclesiastical princes of the Empire shall, on their part, inflict spiritual punishment upon all rebels against the royal authority. No one shall build strong castles upon the lands of prince-prelates. In the towns of prince-prelates, no officer of the King's shall exercise any authority over mints, tolls, or other matters, save and except from eight days before, until eight days after, the sitting of a Diet, holden in such town. But if the King

come in person to such town, then, during the period of his residence, the authority of the prince-prelate shall be suspended. the King alone ruling. Appeals to Rome Frederic had previously sanctioned.

Only one of these concessions appears to call for remark, *i. e.*, that concerning church villeins and thralls; and this rather, generally, than in respect to the provision itself. The remark is, that, from the progressive changes in political relations, this concession had, in regard to wealthy and powerful cities, become a work of supererogation. If small and feeble towns still aimed at increase of riches and importance, by recruiting their population from the despised class of the unfree, the consequential burgesses of those that ranked higher in the social scale, being themselves owners of villeins, had learned to respect the rights of other proprietors of their fellow-men. The most flourishing cities appear to have even reprobated the admittance of any residents of such a class, within their walls. Some years prior to the date of these concessions, A.D. 1211, the haughty as democratic Milan had passed a law enacting that no man, who was the property of any third party, should be suffered to become one of her citizens.

But whatever may, in the nineteenth century, be thought of these concessions in the thirteenth, they answered Frederic's purpose. In March 1220, Prince Henry was elected King, as his father's subordinate colleague and successor.

CHAPTER II.

FREDERIC II.

Coronation-Progress—Affairs of Sicily—Negotiations concerning Crusade—Fifth Crusade, in Egypt—Success—Failure—Frederic's second Marriage—Frederic and his Father-in-law—Frederic's love of Letters. [1220—1226.

FREDERIC, his own principal object being thus accomplished, endeavoured to soften the anger which the Pope, he knew, could not but feel at Henry's election, as a step towards perpetuating that very union of states, which he, like his predecessors, had always reprobated. He assured his Holiness, that this election should in no wise interfere with the promised severance of Sicily and Apulia, from the Empire and Germany; and pledged himself to set forth upon his Crusade, so soon as the remaining obstacles should be removed. And obstacles, in truth, remained, even in Germany.

Brilliant as had hitherto been his career, and as was his actual position, Frederic had not yet acquired the power necessary for inforcing any of the contested Imperial rights. He had obeyed the Ghibeline call to Germany, bringing no support beyond his name, and the favour of the Pope, for which last he had been compelled to pay a ruinously high price. In like manner, he had been compelled to purchase the forbearance of neighbours, the allegiance of vassals, and the election of his son, by concessions, some of which were materially detrimental to the sovereign authority. And still was he dependent upon the goodwill of Honorius, for obtaining the Imperial crown, without being obliged, as a preliminary condition, to resign that of either Germany, or the Sicilies. But

his chief embarrassments no longer lay in Germany. His maternal heritage, to which he looked as the foundation of that power that should enable him to regain the exalted position held by his father and grandfather, was in a still worse condition than his northern kingdom. Advantage had there been taken, now of his prolonged absence, as previously of his youth. More especially had this been the case, since his summons of the Queen to Germany had transferred the administration to regents less zealous, less cordially sympathizing in his views. Baronial usurpations had increased, and a degree of anarchy consequently prevailed, which must be remedied, and the causes of which must be extirpated, before the Sicilian Sovereign could undertake a distant, and possibly tedious, expedition.

Honorius was satisfied with Frederic's explanations and promises; and, by a liberal use of ecclesiastical weapons, frankly assisted in removing the German portion of the obstacles in question. This done, Frederic provided for the government of Germany, and the education of the little king, whom, as nominal ruler, he left there, by committing both to Engelbert von Berg, Archbishop of Cologne. He could not have chosen better. This prelate was distinguished alike by his abilities, his inflexible justice, his energy of character, personal beauty that actually fascinated the multitude, and moral purity. Elected Bishop of Munster at the early age of nineteen, he was, even then, in a manner, promised Cologne; but, embracing Innocent III's opinions, as to the indissolubleness of the connexion between a bishop and his see, he firmly and honestly rejected all such ambitious aspirations. Nothing less, than the express desire of the Pope himself and of the King, had induced him to accept his metropolitan See, and he had since proved an invaluable supporter to Frederic. In his own ecclesiastical principality he had so effectually quelled the disorders, especially the increasing depredations by the swarms of robber-knights—now mostly associated as *Ganerben*—to which the two successive contests for the empire had given birth, that, according to the usual illustration of such reforms, a woman or a child might now, it was said, have safely carried a purse

of gold from one extremity of the archbishopric to the other.(145) At ease in having intrusted his kingdom and his son to such an Imperial Vicar, Frederic, in the month of September, of this same year, 1220, crossed the Alps, accompanied by his Queen, and the princes attendant upon, or forming part of, the Coronation-Progress.

He found northern Italy unusually quiet, though, almost of course, not perfectly so. The pacification of the various feuds and broils in Lombardy, which Innocent had been prevented by death from even attempting, had been committed to Cardinal Ugolino, afterwards Gregory IX, whose exertions had proved, if not perfectly, yet extraordinarily, successful. He had prevailed upon those cities that had incurred excommunication by invading the rights, privileges, and immunities of the clergy, even upon Milan, habitually as refractory to spiritual as to temporal authority, to submit; whereupon he had reconciled them to the Church. Still the tranquillity was neither absolute nor likely to be permanent. Milan, irritated rather than tamed by a second defeat that she had suffered, A.D. 1218, from the Cremonese, still betrayed so much of her old hatred for the Swabian Emperors—obstructing, in direct violation of the Peace of Constance, Frederic's coronation with the iron crown of Lombardy,(146)—that the King, anxiously impatient to achieve his Imperial coronation and revisit the Sicilies, was glad to find an excuse for avoiding present collision with her turbulent citizens. This was supplied by the absence of the Archbishop of Milan in Palestine, a sufficient plea for postponing this previous coronation until the prelate, whose right it was to place the iron crown upon his brow, should be present to officiate. Deferring, therefore, to visit Milan until that occasion, he hastened forward.

Upon his road, he carefully avoided all causes of contention with either Lombard or Tuscan cities, endeavouring, on the contrary, as far as might be, to conciliate them. Neither purpose was easy of execution, the last a nearly hopeless attempt. The Guelph cities, no longer content with the rights and privileges, whose acquisition by the treaty of Constance had, not half a century before, been so exultingly hailed, now watched, in surly quiescence,

for an opportunity of revolt, through which to extort nominal as well as complete virtual independence. The Ghibeline cities, on the other hand, still cherished expectations of Imperial favour so extravagant, that they could by no possibility be satisfied; whilst every grace to one provoked the angry jealousy of the others; as did every attempt to conciliate a Guelph rival, the wrath of all. The demands of commercial privileges and preferences in Sicily made by the Genoese, upon the strength of the services they had rendered Frederic, during his adventurous expedition to Germany, were so exorbitant, that unless he had been prepared wholly to sacrifice the mercantile portion of his own subjects to them, and leave them sole masters of Syracuse, he had no resource but to postpone his answer, until he should reach his southern realms. He accordingly invited the Republic to name embassadors, who should accompany him thither, to discuss the business upon the spot, after first attending his coronation at Rome.

To Rome, Frederic was now making the best of his way, and, upon his arrival, was friendlily received by Honorius; there being, in fact, but two points that could then give rise to differences between the benevolently disposed aged pontiff, and the ex-ward of the Church, who had assented to everything required of him. These points were, the continued delay of the promised Crusade, and the recent election of the child Henry. With respect to the first of these points, Frederic had no difficulty in convincing Honorius, that the disorders then convulsing Sicily, on either side of the Faro, must be repressed, and an efficient government of the kingdom organized, before he could leave his bounden duty for an indefinite length of time; especially as he offered, though not to lead, to send ample assistance to the Crusaders in Egypt. Honorius, accordingly, consented to give him another year prior to setting forth, as pledged by his vow; but he did so upon two conditions; the one, that Frederic should again formally receive the Cross, and from the hand of the most active preacher and promoter of the Crusade, Cardinal Ugolino; the other, that he should plight his word to concur in all measures, requisite for the eradication of heresy and the punishment of obdurate heretics. This

last clause is a remarkable increase of severity, when compared with the language of Innocent III and his Council; explicable, perhaps, by the greater influence that bigoted counsellors would exercise over a mild and weak old man, than over one of powerful intellect and middle age. With respect to his son's election, Frederic assured his Holiness, that his sole object had been, thus to strengthen the Regents, to whom the tranquillity of Germany was intrusted during his own absence; and he renewed his promise, to transfer his Sicilian kingdom to his son, when of years to govern; further promising, then to transfer the duchy of Spoleto, with such Tuscan towns of the long-contested Matildan heritage as should be at his disposal, to the Roman See. He is said to have added, that, should he himself die childless, he would rather bequeath the Sicilies to that See, than to the Empire. Honorius accepted Frederic's explanations with unexpected facility, and a perfectly good understanding prevailed between them.

No impediment to the coronation, therefore, occurred; and, upon the 22nd of November, 1220, in the Basilica of St. Peter, Honorius, with all due rites and forms, crowned Frederic and Constance Emperor and Empress of the Holy Roman Empire. The ceremony was performed amidst the joyous acclamations of all present; to wit, German Princes, spiritual and temporal, Italian vassals, and Envoys from most of the great towns. Even the usually turbulent Romans, upon this occasion, formed no exception to the general satisfaction.

Nevertheless amidst this harmonious concord the seed of a fierce war between Pisa and Florence, ay, perhaps of the ultimate inthralment of the former, then powerful city, was sown by an incident, so ludicrously trivial, that, even as exemplificative of the poet's admiration for the "mighty contests" that "rise from trivial things," its mention scarcely seems consistent with the dignity of history. The Cardinals, in honour of the Imperial coronation, gave entertainments, to which they invited the strangers then visiting Rome. The Florentine Envoy, being a guest at one of these banquets, expressed great admiration of a dog, belonging to his Eminence, the reverend host, who

immediately made a present of the animal to the admirer of canine beauty. The diplomatist thankfully accepted, but neglected to take the gift away with him, or to send for it next morning. At noon that day the same Prince of the Church gave another banquet, to which the Pisan Envoy was bidden. He, like the Florentine, was captivated with the beauty of the greyhound, and again the Cardinal—whether actuated, by mere sportive malice, whether his festivals were of so Bacchanalian a character as to induce forgetfulness of what had passed, or whether he made presents in the Spanish style, which requires from the donee perseverance in refusal, transcending the donor's in pressing acceptance—offered the dog to the admiring guest. Again the gift was thankfully accepted and not taken away. The following morning the Florentine sent for the dog, and got it. Soon afterwards the Pisan sent, and was informed that the creature had been delivered to the representative of Florence. When the rivals for the possession of the dog first met in the streets of Rome, a wordy war broke out, in which the Pisan had the decided advantage. So had he and his countrymen in the skirmish with more substantial weapons that presently ensued. But now a young Florentine, collecting all his fellow-townsmen then at Rome, arranged with them a plan of campaign against the triumphant Pisans; and so thoroughly revenged their previous defeat, that Pisa herself thought proper to retaliate, by laying an embargo upon all Florentine goods within her walls. Florence, however thriving, was still so much the weaker of the two cities, that she shrank from war with Pisa, and earnestly solicited the restitution of some small portion, at least, of the embargoed wares, as a salvo for her honour, even proposing to pay, out of the state funds, for what should thus be restored to her merchants. Pisa, arrogant in her power, refused; and so sanguinary was the war in which this absurd quarrel resulted, that Villani writes: "One might suppose it the work of Satan, under the form of a dog."

To return to the coronation. The Emperor upon this occasion published several laws; but as his legislation will claim special attention at a subsequent period, when assuming a more enlarged and philosophically political character,

the subject may here be passed over with the statement, that, at the Pope's express desire, he enacted stringent laws against heresy, condemning obstinate heretics to exile and confiscation of property—still without mention of death—and that he strictly prohibited the plunder of wrecked vessels, except those of pirates and misbelievers. This last law did not appear as meritorious to Frederic's contemporaries, as it does to their posterity, but was highly approved by Honorius, who recommended the inforcement of these laws throughout the Empire. In fact the progress of humanity and civilization was always warmly favoured and promoted by the popes, except when suspected of threatening an infringement of privileges and immunities, claimed, justly or unjustly, by the Church.

In the beginning of December, Frederic, in perfect amity with Honorius, appointed his German Chancellor, Conrad Bishop of Metz, Imperial Vicar in northern and central Italy; that is to say, in all parts of Italy not belonging to the papacy or the duchy of Apulia; and left Rome for his maternal kingdom. There, his presence was indeed wanted.

Both Apulia and Sicily were again in a state of actual anarchy, the royal authority having well nigh ceased to exist, since the departure of the Empress for Germany. Time out of mind, the most lavish grants of all descriptions had dilapidated the public resources. They had been made by Tancred, to secure his usurped throne, by the several contending guardians of Frederic's youth, to purchase partisans; some of which last the young King had compulsorily ratified. This improvident, or rather this selfish prodigality of royal domains, combined with malversation in the finances, with forcible appropriations of public property by the potent nobles, and with the absolute exemption of all ecclesiastics from taxation, and from the jurisdiction of lay tribunals, had completely stripped the crown of the means of upholding authority. Taking advantage of this weakness in the sovereign power, arbitrary violence everywhere set the government at defiance; and those, who had cause to fear lawful chastisement, were everywhere erecting strong castles, calculated to

brave the royal forces; whilst an underhand, if not yet an open, attempt was afoot, to set up the pretender Innocent had apprehended, the son of Tancred's eldest daughter Albina, against Frederic. Licence and immorality were, as usual, the offspring and associates of anarchy.

The Emperor re-entered his Italian realms, upon the 15th of December, 1220, and did not long hesitate as to the course to be pursued. He summoned an assembly of the Estates of the continental provinces to sit at Capua, and assist him in finding remedies for the existing disorders. To this assembly the usurping nobles came, prepared to defend their usurpations; and, should need be, to dare the royal authority. But, on the other hand, he found in the union of the less potent of the order—who envied those formidable barons the seizures of property and tyranny which, singly, they themselves were too weak either to resist or to imitate—sufficient strength to support his energetic measures. They constituted a numerical majority; and, with their concurrence, the King both issued laws for the observance of order and morality, and took steps for facilitating the resumption of noxious alienations of crown rights or property, by requiring the production of documents and vouchers, relative to all royal grants, made since the death of William II, in order to the investigation of their legality. Numbers of these grants, upon the various grounds of illegality, of the grantor's acting under compulsion, or being destitute of authority to dispose of the property, of offences implying forfeiture on the part of the grantees—as traitorous correspondence with Otho IV, arbitrary oppression of the people, breaches of the peace, and the like—were revoked; thus at once weakening the turbulent party, and materially adding to the wealth and power of the monarch. Amongst the concessions thus cancelled, are found many of those to two brothers of Innocent, Cardinal Stefano and Conte Ricciardo. Whether the ground were, that the grants were exorbitant, and obtained by an unauthorized use of the Pope's name, or that Frederic's sanction had been given rather from inability to refuse, or a sense of his great need of future papal support, than in token of gratitude to his guardian, can only be matter of conjecture.

The powerful Conte di Celano was compelled to surrender many fiefs; so was the still imprisoned Diephold, amongst others, apparently, the county of Acerra, which soon afterwards appears in the possession of the Aquina family. Diephold himself was immediately released from captivity, either as the reward of this surrender, or by way of conciliating the Germans, settled in Apulia. Further, all recently built strong castles were ordered to be dismantled, and obedience to the laws just published at Frederic's coronation, was enjoined.

Amidst these important cares, Frederic forwarded the preparations for the crusading armament, with an activity, resembling the original and genuine crusading spirit. But as the enlightened Emperor, whose philosophic toleration afterwards brought upon him the charge of atheism, cannot well be supposed so actuated, the idea suggests itself, of his having looked upon the Syro-Frank states, as valuable out-works of Christendom against Saracen ambition and the rapacity of the savage Turcoman tribes. Frederic's early-developed statesmanship, and the degree in which the Mahommedans had very lately shown themselves threatening to Oriental Christendom, make this more probable, than that he was reluctantly fulfilling a rash engagement, or veiling a projected breach of that engagement.(147) He certainly did not propose, as yet, to go in person to the Holy War; but he diligently collected reinforcements for the Crusaders; and managed, in the spring of 1221, to send an armament of some forty galleys, under the command of the Duke of Bavaria and the Bishop of Passau, to Egypt.(148) This armament was followed, some months later, by another, even more considerable,(149) under Sicilian leaders, the Grand-Chancellor, Bishop of Troja, and the Grand-Admiral, the Conte di Malta. Finding himself deficient in funds for equipping these armaments, the Emperor had required his clergy to assist in defraying the expense of a hallowed expedition; for which Honorius severely censured him, as also for not himself accompanying his Crusaders, although the Holy Father had previously allowed that he must, for the moment, be excused so doing.

The theatre of the holy warfare, in which Frederic's

Crusaders were designed to participate, had not the powerful hold, upon all Christian sympathies, of the Holy Land. King John, carrying out the idea that Jerusalem would be best recovered in Egypt, had, as before intimated, sailed for that country, upon the arrival of the Crusaders from the Rhine; and, landing in the month of May, 1218, had laid siege to Damietta. The place was bravely attacked and as bravely defended; but Kameel, his father Malek el Adel's Lieutenant in that part of his dominions, had no army with which to attempt its relief; the movements of the Christians appearing to have awakened so little anxiety for Egypt, that the Sultan remained in the neighbourhood of Damascus, without attending to his son's repeated demand for troops to meet the invaders. The siege, nevertheless, lasted a year and a half, chiefly owing to the way, in which the warrior King's measures were thwarted, by his ecclesiastical colleagues and masters. The besiegers were making good progress, when, in September, Cardinal Pelayo Galvan, Bishop of Alba, arrived, bringing reinforcements; but, also, his own appointment as Legate; in which character, as the representative of the Pope, he claimed not merely "a voice potential, double as the King's," but the actual command of the army. Cardinal Pelayo, as a Spaniard, was probably little versed in Oriental affairs; and at all events was no experienced general. But still worse, he was, if disinterested, very conceited — as Legate at Constantinople he had given great offence by his arrogance—and seemingly, somewhat incapable.

The length of the siege gave birth to some improvements in the machinery employed; that most admired, apparently, being the protection with netting, or perhaps wicker-work, of the platforms and drawbridges of the towers, standing upon vessels in the river, against the stones hurled by the besieged, and of the whole tower, with skins, against the Greek fire.(150) It gave birth, likewise, to many displays of fortitude, and many feats of heroism, especially on the part of the Teutonic Knights and their Grand-Master, Hermann von Salza, and of the Duke of Austria;(151) none, however, so peculiar, or so important as to be entitled to specific notice.

When the Sultan was at length awakened to the danger of Damietta, and preparing to assist his son, his proceedings were suddenly arrested by death.(152) Kameel succeeded him, as Sultan of Egypt; but, though acknowledged by his five younger brothers as a sort of Lord Paramount, received no help from them. The fraternal wars, usual amongst the numerous sons—by rival mothers—of a deceased Moslem potentate, speedily broke out; and Kameel, remaining for the moment too weak to encounter the Crusaders, could attempt nothing for the relief of Damietta. At length, when the eighteenth month of the siege was in progress, and the town reduced to such extremities that its early fall was anticipated by all parties, Kameel obtained from his brother Moaddham Isa, Sultan of Damascus—the Corradinus of Latin chroniclers—assistance, of a kind least to have been expected. Moaddham, to whose share of the family dominions Palestine appertained, allowed his brother to offer the restoration of all the conquered portion of the Holy Land, except the two southern fortresses of Karac and Montreal, as the price of evacuating Egypt.

That the King of Jerusalem was eager to close with an offer, which—whatever might be his misgivings as to his power of permanently keeping what was restored—realized, for the moment, all his hopes, proving the wisdom of his plan of operations, hardly need be said. As little, that the bulk of the Crusaders were delighted to have thus fulfilled their vow, and achieved its grand object, the recovery of the Holy City. But again the Legate interfered. He would almost seem to have regarded the invasion of Egypt, not as the means but the end; inasmuch as he now averred that the possession of Jerusalem, so regained, by negotiation with God's enemies, dilapidated as it was—Moaddham had dismantled the town preparatory to offering its restitution—could be neither beneficial nor permanent, unless the Sultan paid down 300,000 gold pieces towards repairing the fortifications, and added the two southern fortresses. Nay, he contended that even then Damietta,—which must immediately fall—would, by giving the command of the trade of Egypt, form the nucleus of a Christian realm, far stronger than the Kingdom of Jerusalem in its

best condition; and must not, therefore, be given in exchange for Palestine. This view, throwing the recovery of the Holy Places into the background, if a larger or more desirable territory could be acquired elsewhere, is so repugnant to the Crusading spirit, as to seem unintelligible. The recollection, that the Roman See claimed every country conquered from the presumed enemies of God, might lead to seeking its origin in the individual ambition of the Cardinal, who would naturally expect to be the Papal Governor of Damietta. But the suspicion dies away as the narrative proceeds; for, whilst his ignorance, folly, and arrogance, would account for any blunder, he will be found still convinced that he had taken the best way to recover Palestine. King John was not supported. The Legate's view was adopted, not only by all the prelates in the army, the Patriarch of Jerusalem included, but by the three Grand-Masters;([153]) who professed apprehension of some snare in Moaddham's extraordinary liberality; and, perhaps, thought to gain by negotiation instead of the sword, degrading. Kameel's proposal was rejected.

Damietta had now become little better than a charnel-house, its 70,000 or 80,000 inhabitants having dwindled to 10,000, or, according to some authorities, even to 3000, and those, dying of famine and an epidemic. Being thus incapable of longer resistance, upon the 5th of November, 1219, four days after the offer was rejected, the town was taken, and a massacre of the few wretched survivors commenced. This the leaders interfered to check; though hardly from an impulse of humanity; the wealthy being saved in the expectation of their paying heavy ransoms, the indigent, to be sold as slaves. The actual fall of Damietta and of the few neighbouring places which immediately surrendered, is said to have been mainly due to the Marians and their Grand-Master—another of the remarkable men of the epoch and whose name will frequently recur during the next few years. Hermann von Salza was the fourth Grand-Master of his Order, and upon him devolved the office of completing its previously imperfect constitution; whilst, under him, the Marians first rose to rivalry with the Templars and Hospitalers. His great

abilities and universally acknowledged unimpeachable rectitude of character gave him weight throughout Christendom; and the historians of the Order depict him, as good, as he was valiant and able; tending the sick in person, and punctually discharging every duty both of a Grand-Master and of a Knight Hospitaler, the Order to which he naturally most assimilated his Teutonic Knights, whose origin had been so nearly the same.

The Legate now triumphed, and was pronounced, by Honorius, a second Joshua; but with this conquest terminated the military success of Cardinal Pelayo. In the first place, the disposal of Damietta produced dissension; John's claim to it as a province of, or at least a dependency upon, his monarchy—seemingly a necessary part of the project of conquering Egypt in order to give the kingdom of Jerusalem stability—was vehemently resisted by the Legate: and, when at last allowed, pretensions were advanced and successfully inforced, to large portions of the town, for the Papal See, and for every nation, French, English, German, and Italian, that had contributed Crusaders to the enterprise.(154) A species of partnership-sovereignty, peculiar to the Syro-Latin States and the Latin Empire of Constantinople.

A long period of inaction followed, very many Crusaders chusing—since the Crusade, after a year and a half's continuance of toils and hardships, was not held to be over—to enjoy their share of the booty in idleness and pleasures, ere returning to similar toils and hardships. As many went home, deeming their vow sufficiently performed, since Jerusalem had been offered them. The Legate seemed disposed to rest awhile upon his laurels; and he, who was most interested in prosecuting the war, the King of Jerusalem, in his indignation at Pelayo's thwarting his plans and disappointing his hopes, appears to have eagerly seized an occasion, just then offering, to quit Egypt and the army that he had brought thither.

The occasion was this. Since the death of Maria Yolanthe, her widower had married another royal heiress, the eldest daughter of Leo King of Armenia. Leo had died, and John declared that his presence, in his wife's kingdom, was indispensable to secure her succession. He

accordingly hastened to Armenia, but he went without his consort; and the Armenians had not adopted the European notion, that heiresses were mere conductors, through which a birthright might be transmitted to men. They would acknowledge, as their sovereign, only their native Princess, not her husband in her stead, and he returned to Acre to fetch her. But, at Acre, a violent quarrel occurred between the royal pair, originating in the King's suspicion that his Armenian wife had attempted to poison her step-daughter, the infant Queen of Jerusalem; though why she should commit a crime, not merely useless, but likely to rob her husband and herself of a kingdom, does not appear. In this quarrel, John treated his wife so brutally, that her death was the consequence. With her died, of course, his hopes of Armenia; to which realm her younger sister succeeded; or rather a kinsman of Leo's, named Constant, who, as regent for her, reigned over Armenia as long as he lived.

In Egypt, the year 1220 passed in the inaction above mentioned, prolonged sorely against the will of the Legate; the penalty of his illiberality towards King John. After a brief period of winter' repose, to enjoy his triumph, the Cardinal had grown impatient to advance upon Cairo; but the Crusaders positively refused to march without a proper leader. It might seem that, if they objected to the Legate, notwithstanding his paramount authority, as wanting soldierly experience, the three Grand-Masters were amply able to supply his deficiency in that respect But perhaps the supremacy of Pelayo's legatine authority could, in the opinion of the Crusaders, be counterbalanced only by a royal general; and, whilst no European monarch presented himself, the King of Jerusalem had been driven away in disgust. During such protracted inaction, licentiousness more and more prevailed in this host of insubordinate volunteers; and is said to have been latterly accompanied by dishonesty.

Francis of Assisi's attempt to convert Sultan Kameel, is placed during this year, 1220. Some of the old chroniclers have stated that, at the time of his visit, a price had been set upon the heads of all Christians; which, however repugnant to the characters of Saladin, Malek el Adel,

and yet more, as will be seen of Kameel, is possible, from the intolerant spirit of the age, and the unprovoked invasion. If true, the threat would only be an incentive to the future saint, since it is by no means clear whether he were more desirous of converting the Sultan and his people, or of gaining the crown of martyrdom. With the last he seemed likely to be indulged, being seized and carried before the Sultan in chains. Thus to confront the Moslem sovereign had been his object, and boldly exhorting him to embrace the Christian faith with all his subjects, he offered, as a test of which was the true religion, Christianity or Islam, to ascend a burning pile in company with an Imam. The Imams showed no disposition to accept the challenge, but vehemently insisted that the *Giaour* should be put to death. Kameel disappointed both parties. He refused to tempt the Almighty, by calling for a miracle to confirm his faith; whilst he silenced his intolerant priests, much as Saladin had done in a similar case, saying: "Far be it from me to slay him who came hither desiring, however mistakenly, to do us good." He sent the eager missionary unharmed to the Christian camp, and thenceforward showed mercy to Christian prisoners.

Still the conquerors of Damietta lingered idly there; but Kameel was unable to profit by their inaction. The Mongols, under Gengis Khan, were then beginning to menace the civilized world with thraldom and barbarism. Vanquishing and enslaving all around them, pressing the most warlike into their service—modern investigation makes the bulk of Gengis Khan's army not Mongols but Turks or Turcomans(155)—expelling those who would not submit to the yoke, they drove whole nations of barbarians onward. If the Mongols themselves had not yet become objects of general terror to the civilized world, the Kharismians, flying before them, were pouring—devastators, if not conquerors—upon western Asia; and Kameel's brothers, anxiously watching the advancing flood, durst not, had they been ever so fraternally disposed towards him, send a man from their own dominions to his assistance. He, however, diligently employed the unexpected pause to prepare his own resources.

In 1221, the aspect of affairs in Egypt changed. In May the first division of Imperial Crusaders, under the Duke of Bavaria, landed. Their arrival stimulated the conquerors of Damietta to fresh enterprise; the Legate's plan for attacking Cairo was now generally approved, and King John rejoined the army, to take the conduct of the operation upon himself. But all, whilst approving the plan, objected to beginning its execution at that moment. The Duke of Bavaria announced the second armament, which the Emperor was sedulously equipping, together with the Imperial desire, that its arrival should be the signal for renewing hostilities. But he and his companions urged delay, in vain. As vainly, did John represent both the respect due to the wishes of the Emperor—to whom they looked as their main support, independently even of the wisdom of his advice—and the absurdity of undertaking a march along the banks of the Nile, at the very season when the fertilizing inundation of its waters might be daily expected. Cardinal Pelayo calculated upon reaching Cairo before the inundation should make much progress, and was peremptory; the Crusaders, weary of their long repose, were impatient; and the forward movement began.(156)

The result was, what had been foretold; and has been graphically described by one of their body, who says "they went like birds to the snare, like fish to the net."(157) Some progress was indeed made in safety, but the Crusaders were still far distant from Cairo, when calamities began to accumulate around them. Kameel's preparations were now complete, and, skilfully watching his opportunities, he began to act against the invaders. His first measure was the capture of the vessels, conveying their provisions up the river. Just as the Crusaders were thus thrown for their subsistence upon the country, through which they were passing, the Nile overflowed; and they found themselves without food, surrounded by water, mud, and the enemy, in considerable and ever-increasing force. In this distressed situation the Legate attempted to retreat as idly as he had attempted to advance; the inundation obstructed the one movement as much as the other. The whole army escaped drowning or starvation

only by surrendering at discretion. Kameel, clement and politic, even in this condition of the invaders, judged it expedient to propose a fair compensation, for the bloodless clearance of his territories. Whilst he permitted the Crusaders freely to purchase provisions, he himself supplied the indigent among them with bread; and in this extremity of their distress, he again offered the city of Jerusalem, with the district requisite for communication with Acre, and the true Cross,(158) in return for the immediate restitution of Damietta and evacuation of Egypt; to be preceded by a general release of prisoners. That the Crusaders, in the position in which they then were, thankfully accepted these conditions, need hardly be said. For the punctual execution of the Crusaders' part, hostages were given, of whom the King of Jerusalem was one: whence arose a cordial friendship betwixt him and Sultan Kameel. They concluded separately an eight years' truce for their dominions, liable to be at any time terminated, by the appearance in the East, of a Crusade headed by an European monarch. Moaddham, however, did not hold himself bound by the promise of his brother, whom he probably thought weakly liberal of another's property, and gave up neither Jerusalem nor the True Cross.

Whether the Emperor's second armament reached the mouth of the Nile only after this catastrophe, or whether the leaders, arriving when the forward march had already begun, were paralysed by want of instructions, and even of communications from the Legate,(159)—that King John and the Duke of Bavaria should not have guarded against such an omission, seems impossible—or whether they were duped, or scared, by Moslem agents, from ascending the Nile in their vessels to the relief of their brethren, are still disputed questions amongst historians. The third hypothesis derives probability from the circumstance that, of the two leaders, the Grand-Chancellor fled, from his master's apprehended displeasure, to Venice, where he died in obscurity; whilst the Earl of Malta, who returned with the fleet to Sicily, was deprived of his post of Grand-Admiral, and of several fiefs. But so

does the first, from the remark of an Arab writer, Makrisi, that it was Allah's mercy the Emperor's fleet did not arrive earlier.(160)

Hermann von Salza carried to Italy the first tidings of this self-invited catastrophe, which overwhelmed Honorius with grief and disappointment. According to Muratori, he threatened, in his exasperation, to excommunicate the Emperor, to whose absence he attributed disasters, caused by his own Legate's presumptuous incapacity; and which, had Frederic sailed at the appointed time, August 1221, he would have been too late to prevent, though not, perhaps, to relieve and diminish. If the Pope were thus unreasonably irritated, his anger appears to have been speedily allayed by the representations of the respected Marian Grand-Master; who, after pacifying the pontiff, proceeded with his melancholy intelligence to the Imperial court; and Frederic declared that the news pierced his heart like a sword. It was upon this occasion, that Hermann von Salza first became known to the Emperor, by whom he was at once appreciated and, thenceforward, highly valued: the Grand-Master, on his part, conceiving both profound admiration and devoted attachment for the Emperor. Honorius, convinced, apparently, that the disaster was not owing to any needless procrastination in the Emperor, appointed an interview with him, in the following April, 1222, to consult upon the measures which the sad occasion required. They met accordingly; and merely agreed to invite an assembly of European sovereigns, or their representatives, with deputies from all Christian states, to meet at Verona, in the month of November next ensuing, then and there to deliberate and decide upon the means of relieving the Holy Land. At this assembly, they invited the King of Jerusalem and the Grand-Masters of the three Orders to attend, and afford the benefit of their knowledge and experience. At the preliminary April interview, the Emperor-King was prevailed upon to soothe the Pope's mortification and sorrow, by publishing a law, that condemned obstinate heretics to the flames; their usual doom, when sentenced to death, as too often has

been seen, though not exclusively theirs, and never pronounced against them by Innocent III, or previously sanctioned by Frederic II.

But, if the Holy Father were thus consoled in April, in November everything was unpropitious. He himself was ill; Frederic, occupied by intestine wars in Sicily, where his Saracen subjects were in rebellion; the Oriental dignitaries invited, and for whose conveyance the Emperor had sent vessels, were unable, and the European unwilling, to attend. The projected Congress therefore did not take place; and only in the following spring of 1223, did the Pope, the Emperor, the King and the Patriarch of Jerusalem, the three Grand-Masters, and a few other judicious and important personages, anxious for the object in view, assemble at Ferentino. Great harmony here prevailed, owing chiefly to the exertions of Hermann von Salza, who, strong in his high character and in the renown he and his Marians had acquired at the siege of Damietta, interposed his mediation and impartial representations, whenever views clashed or discord threatened. The calm consideration, thus secured, satisfied those most interested, and therefore most inclined to suspicion, that no disposable force, sufficient to effect any material object, so as to compensate for terminating the truce which assured temporary repose to the Syro-Frank states, at that moment existed. Under such circumstances, the unanimous decision of all parties was, that the projected Crusade must again be deferred for two years; during which, every nerve should be strained to render it then effective. Honorius undertook to endeavour, at least, by letter, to revive the zeal of the European Sovereigns, for the redemption of the Holy Land from the yoke of misbelievers. King John was to assist these endeavours, by personally visiting the several courts, vividly portraying the distress of the Syrian Christians, and urgently imploring the exertions of all Christian princes in their behalf; and the Emperor pledged himself to make such strenuous efforts to get rid of the difficulties still hampering him—especially extinguishing the Saracen rebellion in Sicily—as to be certainly ready to sail, by Midsummer, 1225. The Grand-Master of the Marians suggested to Honorius that,

Frederic being then a widower—the Empress Constance had died the preceding year—a marriage between him and Yolanthe, the young Queen of Jerusalem, would bind him, by his own interest, to the cause they had at heart. The idea was generally approved. The Pope saw no alarming increase of Imperial power in the possession of a small and remote state, which must, at Frederic's death, be again severed from the Empire, as the heritage of the second wife's children. Frederic himself was well pleased to add to his kingdoms another, of such high name and dignity, even if to be reconquered ere possessed; and to make the acquisition, by accepting a youthful bride, reported to be very lovely; whilst the other party most interested, the lady's father, King John, was gratified with the prospect of seeing his daughter an Empress; and yet more, with the persuasion that, even if his nominal abdication should form part of the scheme, the authority must perforce still be his, from the necessarily habitual absence of the Emperor; whereas a son-in-law, in the position that had been his own, would reside in his wife's kingdom, and struggle for the power, in addition to the name, of a king.

Frederic exerted himself vigorously to clear the way for fulfilling the engagements anew, to which he was pledged. The leader of the Apulian rebellion was again the Conte di Celano; in revenge, perhaps, for the forfeiture of some of his grants. This potent Earl, to whom Muratori imputes the poisoning of Marchese Aldrovandini di Este, the Emperor completely subdued; whereupon the other turbulent nobles submitted. And now, having tranquillized the continental portion of his Italian dominions, he passed over into Sicily, in force sufficient to recover Syracuse from the Genoese, and to reduce the mountain Saracens to absolute subjection. He then determined, as a preventive of their future revolts, to remove them from those fastnesses constituting their strength, and from that proximity to Africa enabling them to draw constant reinforcements thence, jointly fostering in them a spirit of independence; and settle them upon the continent of Italy. There he proposed to give them a large district of the *Capitanata*, with Luceria for their capital, and another in the *Principato Citra*, with Nocera for their

chief city; thinking, probably, that, even in their new homes, to divide them between two provinces, in both of which the Christians would still be the more numerous, were better than again to concentrate the whole Saracen population in one place. This wholesale migration he could not, indeed, at once accomplish; as he desired to induce, rather than compel, removal; and numbers refused to quit their mountain dwellings. Nevertheless, the valuable estates and other advantages, offered, tempted about 20,000 families to comply with their conquering monarch's wishes; and, in the Capitanata, they found every necessary and every comfort that could reconcile them to their transplantation. In a very short time, the Lucerian Saracens became, not only quiet and loyal subjects, but devotedly attached to Frederic and his race. To avoid the necessity of recurring to this measure, chiefly interesting by its completeness, it may be here stated, that, in the course of the next ten years, the report of their happy establishment influenced those who had at first refused to move. They followed their countrymen, and were domiciliated in and about Nocera—called, in reprobation of their religion, Nocera *dei Pagani*. The Sicilian mountains were thus nearly cleared of Mohammedans.

Simultaneously with the Emperor's exertions to crush actual, and prevent future, rebellion, had proceeded his preparations for the Crusade, designed to recover for his betrothed bride the whole of her patrimonial kingdom. He had had almost to new create the once formidable Sicilian navy; in which the armaments sent to Egypt shew him already reasonably successful. By the beginning of the appointed year, 1225, he had in his ports, ready for sea, two galleys, with transports sufficient for the conveyance of 2,000 knights or men at arms, with their horses, and 10,000 infantry. Whilst this had been in progress, some few causes of dissension with the Pope had occurred; but, on either side, a conciliatory spirit existed, preventing the evil consequences that might have been apprehended.

John's efforts had been less successful. He found the Kings of France and England, Lewis VIII and Henry III, —or rather his guardians—too much occupied by broils

with their respective great vassals, and by wars with each other—although the former had seemingly abandoned his pretensions to the English throne—to engage in a distant expedition. He found further, that the French chivalry had either outlived the crusading spirit, or had discovered a more convenient theatre for indulging their zeal at home, amongst the half-avowed, half-concealed remnant of the Albigenses. Lewis's own Crusade against those unfortunate sectarians, during his father's life, not less replete with perfidy than its more anarchal predecessors, had materially contributed to Simon de Montfort's secure possession of his conquests. The able as unprincipled conqueror's acknowledgment of the King's sovereignty had been little more than nominal: but he was now gone to his final account; and his eldest son and heir, Amaury de Montfort, seems to have been as free from the inordinate ambition, as he was destitute of the talents of the conquering Crusader. After losing most of his father's acquisitions to Raymond VII, he had deemed it expedient to surrender the small remainder, with his empty title of Comte de Toulouse, to the King; who, on his part, thought the most advantageous use to be made of this surrender, was to regrant the title, with reduced dominions, to his own near kinsman, the hereditary earl Raymond VII: that is to say, he granted him all that he, Raymond, had himself recovered, and a little more. But, the Albigenses being still unconverted, even this step did not quite put an end to the Crusade, *alias*, civil war, in those provinces. The Peninsular monarchs were, as usual, fighting the battle of the Church, together with their own, at home. And the only result of King John's crusade-exciting mission seems to have been his own third marriage with a daughter of Alfonso IX of Leon; and, perhaps, the payment of a bequest, by Philip Augustus, towards the expenses of recovering Jerusalem, of 300,000 lb. of silver; to be allotted, in equal shares, for that purpose, to the Syro-Frank King, the Templars, and the Hospitalers. But the bequest itself is problematical, and the payment yet more so. John asserted that he should not thus have failed, had his exertions not been counteracted, however unintentionally, by those zealous crusade-

preachers the Mendicant Friars: who themselves failed—the Dominicans, through their being unfurnished with papal authority to grant absolution to those who took the Cross; the Franciscans, through their recklessly granting it for every sin and crime, of which a crusader could be guilty, superadded to their coarse manners.

The Pope, upon receiving this very unsatisfactory report, imputed, seemingly, the King's want of success, to want of skill, and sent legates of acknowledged abilities to preach the Crusade throughout western Europe; whilst the Emperor, with his approbation, employed the Marian Grand-Master, now his most trusted friend and counsellor, to excite the religious zeal of Germany. All proved so ineffective, that Honorius himself judged it expedient to give two years more to the necessary preparations: which intervening time was to be employed in rekindling the extinguished enthusiasm. The King and the Patriarch of Jerusalem both concurred in the propriety of the delay. But, with respect to the Emperor, though his own interest might now have been deemed sufficient guarantee against his even wishing to evade his engagement, conditions more stringent than before were attached to the extension of time. The minimum number of the vessels he was to provide, of the troops he was to furnish, &c., was fixed; and failure in any one of the points specified, or of setting forth upon, if not before, the appointed day, was *ipso facto* to incur excommunication. A Diet, for the regulation of all crusade operations, was convoked to meet at Cremona, in the year 1226.

During this fresh delay of two years, Honorius assuredly did not intentionally neglect the interests of the Holy Land, or the furtherance of the expedition for its relief; but he devoted much time and thought to the affairs of the Latin empire of Constantinople; which he favoured in a manner, that proved detrimental to his other and principal object. This Empire, conquered seemingly only to be torn to pieces, was in a state of disorder approaching to anarchy. The Venetians did not indeed quarrel, as might have been feared, with their partners in empire; but fully occupied in winning and keeping the islands and maritime districts of the Morea, with their three eighths

of the capital forming their share, they afforded the Emperor no support. The Greeks refused both payment of tithes and spiritual obedience to the intrusive Latin priests; the Latin conquerors grudged all payments, even to the pastors of their own Church; and the Latin Patriarch aspired to absolute spiritual supremacy, independent of Rome. Palace plots and political factions divided the corrupt and licentious laity, of both creeds and both races; and over all these elements of irreconcileable discord, Robert, a weak, rude, ignorant and profligate youth, too cowardly to head his troops,—habitually defeated by his able rival, Vatazes of Nicæa, son-in-law and successor of Theodore Lascaris,—pretended to reign. Of the style of his government, of what he dared to do, and what he was obliged to endure, as also of the state of society at Constantinople, his matrimonial adventures may afford a tolerable specimen.

A marriage contract had, with judicious policy, been negotiated and concluded for the young Emperor, with a daughter of the most formidable amongst his Greek rivals for the Byzantine Empire, Vatazes, Emperor of Nicæa. But chancing, before the wedding was actually solemnized, to see the affianced bride of one of his own knights, a Burgundian, he was so enamoured of her beauty, that, forgetful of what was due, alike to his betrothed empress and her powerful father, to his faithful vassal, as to his own character and station, he caused the Burgundian's bride to be seized, and, together with her mother, brought to his palace. There, possibly finding her inflexible to solicitations yet more illicit, he secretly married her. The defrauded and infuriated bridegroom—whether aware of her actual marriage seems doubtful, as, indeed, Gibbon leaves the marriage itself—assembled his friends to avenge the insult offered him. They broke into the palace, flung the new-made Empress's mother, as the Emperor's tool, into the sea, and seizing the faithless beauty, not only shaved her head, but more permanently and savagely disfigured her, by cutting off her nose. The Emperor was unable to punish so gross an outrage! And for the sake of supporting a throne so helplessly tottering, from which nothing could rationally be expected towards healing the

schism, Honorius really sacrificed the last chance of recovering the Holy Land! Untaught by the analogous mistake of Innocent III, he permitted any Crusaders who should take their way through Constantinople, to perform their vow in Robert's service.

Meanwhile, in the year 1225, a deputation of Palestine Barons escorted Yolanthe to Palermo, where her nuptials with Frederic were immediately celebrated. The Barons thereupon did homage to him as King of Jerusalem; and he, assuming that title, despatched a bishop and two noblemen to Acre, as his Commissioners, in his name to receive oaths of allegiance from the whole vassalage, and to confirm the Chevalier Bertrand, who conducted the government as King John's deputy, in his post. This measure, which at once blighted all de Brienne's views of personal ambition and vanity, appears to have suddenly and completely alienated the ex-monarch from his Imperial son-in-law. For such an effect, Frederic might, possibly, have cared little, had not his father-in-law's enmity been the means of envenoming the dissensions with Honorius, which about this time revived and increased.

At every step in the history of Frederic II, his deep resentment of the concessions extorted from his dying mother and from himself, when oppressed by the difficulties under which she had yielded, becomes more and more evident. Equally so, that, how much soever he may have compulsorily repressed, or even dissembled these sentiments, he was resolved to adhere to those concessions, at the utmost, only whilst claimed by a Pope to whom he owed gratitude, which, notwithstanding those extortions, he confessed that he did to Innocent III. He now no longer conformed to those concessions. When prelates, personally or politically exceptionable, were elected by Sicilian or Apulian chapters, he now refused his sanction; the indispensableness of which Innocent himself had virtually acknowledged, by always giving that sanction, during his regency, in the royal name, not in his own. The chapters did not upon these refusals proceed to new elections, having, it may be surmised, been forbidden so to do by the Pope; and the sees remained vacant. To keep sees vacant, in order to appropriate

their revenues, was the very objectionable, but very common practice of those days; and, although in the present case the cause of vacancy was different, there can be little doubt but that Frederic would gladly take advantage of the pecuniary consequence. Such vacancy had been a ground of constantly increasing dissatisfaction, to Honorius; and when, in the year 1225, he saw Capua, Aversa, Brindisi, Salerno, and Cosenza, without bishops, through Frederic's rejection of the elected prelates, his power of toleration was exhausted. He now, as the proper assertion of the right ceded by the Empress-Queen Constance, and the proper penalty of her son's resistance to that cession, appointed prelates to all those sees, merely accompanying his announcement of the nomination to the Emperor-King of Sicily—to whom he had made no previous communication of his purpose—with a civilly expressed hope that the selection would be agreeable to him, the new prelates being distinguished for their learning and their virtues, as well as natives of his kingdom. The indignant Frederic refused to admit the Pope's nominees as bishops; Honorius resented the refusal: other, minor causes of offence, on both sides, occurred, and an angry correspondence ensued. The ex-King of Jerusalem, in revenge for his disappointment of the vice-regal authority over Palestine, which at least he had hoped to retain, stimulated to the utmost of his power the Pope's wrath. He revived the exploded allegation that Frederic was a supposititious child, and he accused him, not only of neglecting Yolanthe for licentious amours, and having completely and permanently separated himself from her, in resentment of her jealousy and complaints, but of having degraded himself by personal ill-usage and brutal violence towards the hapless young Empress-Queen. He gave weight to these accusations, by quitting his son-in-law's court, and withdrawing, with his Spanish wife, to Bologna; where he was accused by Frederic of caballing to place his nephew, Walter, Tancred's grandson, upon the Sicilian throne.

Upon John's charges a few words must be bestowed. With respect to the first, it may be enough to remind the reader, that when first brought forward, it was held to

have been beforehand refuted by the measures of precaution, now customary, but then nearly unprecedented, taken at Frederic's birth, to prove him really the offspring of his mother; dispelling any doubts to which eight years of previous sterility, in a woman no longer young, might have given rise. Of the second charge, a part borrows credibility from the undeniable laxity of Frederic's principles in regard to women. But his apologists aver that he indulged in illicit amours only during his periods of viduity; and, as far as such matters admit of proof from records, the assertion is corroborated by what is known touching the births of his illegitimate children.([161]) The eldest of his natural sons, Enzio, was born either between the death of Constance and his marriage to Yolanthe, or, at worst, during the five or six years of separation between the very juvenile husband and his wife, whilst Queen Constance acted as Regent of the Sicilies; Frederic of Antioch and Manfred, certainly between the death of Yolanthe and his nuptials with the English princess, Isabella; the dates of the birth of his natural daughters appear less ascertainable. As to the rest of this charge, that Yolanthe may have been jealous, and that conjugal quarrels may have ensued, is very possible; but that they caused no permanent separation of the royal and imperial pair, is demonstrated by the birth of their son Conrad, two years afterwards. The charge of personal ill-usage is too repugnant to Frederic's whole character—John perhaps judged him by himself—to merit further notice than the remark, that no allusion to anything of the kind appears, in the epistles of Honorius to Frederic, of this date, blaming him for depriving his father-in-law of the government of the kingdom of Jerusalem (which the unfriendly Muratori deems the root of the ex-king's anger), nor, subsequently, in Gregory IX's fierce attack upon him.

During these delays, and amidst these dissensions, Frederic found spare time and attention to devote to the advancement of letters and of education, in his Italian realms; where, prior to his accession, such objects appear, except at the Abbey of Montecassino, to have scarce been thought of;—the University of Salerno was little more

than a school of medicine. During his minority, indeed, some improvement had taken place; Cardinal Pietro, of Capua, having, by the direction of Innocent III, founded some schools at Naples. This Frederic considered to be a very inadequate provision for the enlightenment of his subjects. Therefore, uniting and remodelling these schools, he formed them, upon an enlarged and systematic plan, into the University of Naples. In order to render this university superior to all others, he sought for it the ablest Professors of all known sciences, which were to be there taught. He especially invited Dominicans to occupy any of the chairs; and, what is more remarkable, Franciscans, to teach theology. To make sure of the eminence of his Professors, he gave them salaries, in addition to the remuneration obtained from students, upon which, at other universities, they were then wholly dependent. But to these unwonted salaries, he attached the condition, that professors, who accepted them, were never to teach elsewhere, unless authorized to do so by himself. For that he did not quite give Naples a monopoly, appears from a letter of his, announcing a Professor of Civil Law, sent to Vercelli; a curious passage from which may be given:—"Need is that the majesty of the Empire be not only adorned with arms, but armed with laws. Whilst providing for the uses of our subject, we believe that we advantage ourselves, when we afford them means to acquire a kind of learning, which having mastered, they may take the field as pleaders of causes; and, made bold in the succour of an illustrious science, protect themselves, those next belonging to them, and their country."(162)

CHAPTER III.

FREDERIC II.

Affairs of Germany—Administration of Archbishop Engelbert—His Murder—Hostility of the Lombards—Delay of Crusade—Duke of Mazovia and the Prussians—Death of Honorius III—Gregory IX Pope—New delay of Crusade—Emperor excommunicated—Sails for Palestine.

[1226—1228.

EARLY in 1226 Frederic left Sicily, and at the head of his Apulian vassalage set forward for Cremona, where the plan of the Crusade was to be settled in a Diet, and he expected to meet his son, with the counsellors appointed to assist the young king's inexperience. New arrangements for the government of Germany during his own possibly prolonged absence had become necessary; through the murder of him upon whom he had relied as his substitute, namely, Engelbert, Archbishop of Cologne.

That prelate's regency had been steadily prosperous. He had energetically exerted himself, and with very tolerable success, to establish throughout Germany, as he had in his own principality, the supremacy of law. The difficulty of the undertaking was enhanced by the prodigious increase, in numbers as in audacious licence, during the recent contests for the crown, of that class of noble marauders, who, seeking strength in union, sheltered their illegal associations under the assumed title of *Ganerben*.[163] They seem to have been amongst the most formidable description of banditti upon record; and to their suppression Engelbert addressed himself. Against strong castles so garrisoned, the royal train of pacific times would be of little avail, each pseudo-ganerben fortress requiring

a regular siege, by an army. Despite their strength, however, the Archbishop made considerable progress in extirpating them throughout Germany; although as completely as in his own dominions, where he was really master, and had more time to effect his purposes, he neither did, nor could succeed.

Engelbert's regency was further happily distinguished by the recovery of the northern Slavonian provinces, to wit, Holstein, Schwerin, Mecklenburg, and Pomerania; torn from Germany by Denmark, during the same troubles that had favoured the robber-knights; and of which, being already lost, Frederic had, during his hard struggle for the crown, been compelled formally to cede a part to Waldemar. Their recovery the Archbishop achieved, not by force of arms, but through the political wisdom with which he, and the Grand-Master of the Teutonic Knights, took advantage of the disaster, that the tyranny and libertinism into which Waldemar II appears, upon losing his Day-star, to have fallen, had brought upon him.

Waldemar, after expelling Adolf of Holstein from his dominions, had, during the absence of the Holstein vassal, Henry Earl of Schwerin, upon a Crusade, greatly encroached upon the lands and privileges of that nobleman and his brother; had married his own illegitimate son to the Crusader Earl's niece; upon the death of the lady's father, had put the young couple in possession of the domains belonging to the two brothers jointly; and, his son dying, had seized them as guardian to his infant grandson, the heir. He had further paid illicit addresses to the absent Crusader's Countess, and, repulsed by her virtue, had, by stratagem and violence combined, achieved her dishonour. Not the least striking anomalies in those days of strong passion and apparently ungovernable impulse, are the power—often displayed—of self-control, amounting to dissimulation, the, already-noticed, comparative disregard of truth, and the taste for craft, recalling the character of the red men of North America. An outburst of passion, on the part of the despoiled prince, and grossly injured husband, is naturally looked for at his return. But no! Graf Heinrich betrayed no sense of his wrongs, until the oppor-

tunity of taking vengeance should offer; and upon the 6th of May, 1223, it offered.

The King and his son, the Crown Prince, then visited the small island of Lyoe, lying to the south of Fühnen, upon a sporting excursion, with merely the train belonging to the chase. After the fatigues of a day's active pleasure, they and their attendants, like true Danes, sought refreshment in deep carouses at supper, and sank into the heavy sleep of inebriety. In this state of helpless intoxication, the Earl of Schwerin, with his friends and followers, surprised the whole party, and capturing father and son, carried them off to a castle of the Earl's in Brandenburg; whence he subsequently removed them to the custody of some of his friends in Saxony; well assured that in neither principality could a kindly feeling exist towards the monarch, who had robbed both duchy and margraviate of so many Slavonian vassals. Prince Albert, Waldemar's nephew, to whom he had given Holstein, immediately assumed the regency; and, together with the Danish nation, addressed loud complaints to the Pope, the Emperor, and the young King of the Romans, of the outrage thus perpetrated upon a crowned sovereign. The intervention of the pontiff proved wholly unavailing. The Emperor, hardly much regretting the disaster of a prince, who, in the day of his weakness, had extorted from him sacrifices so mortifying, referred them to his son and the Regent of Germany, who may be presumed to have received their instructions. The Archbishop, after two Diets had unsuccessfully attempted to mediate between the parties, employed Hermann von Salza, then in Germany upon his crusade-exciting mission, to negotiate the captive monarch's release.

The Marian applied to the universally respected Landgrave, Lewis of Thuringia, whom he had just induced to take the Cross, to assist him in this difficult task. The Landgrave complied; and, together, they obtained from the wronged and victorious Earl, the sacrifice of his vengeance, to patriotism; in resting satisfied with a heavy ransom, and with despoiling the King, who had injured him, of all that he had wrested from the debilitated, because divided, Empire. This seemed to be the whole difficulty; for the captive

King assented to everything; it is averred, with the decided intention of breaking an oath, that, as compulsorily taken, he chose to think null. Upon the 4th of June, a treaty was, therefore, concluded: in which Waldemar agreed to purchase his own and his son's liberty by restoring all his recently acquired Slavonian provinces, with the single exception of the Island of Rügen, (making the Eyder once again the boundary between Denmark and Germany) holding Denmark itself in vassalage of the Emperor, paying the Earl of Schwerin ransom, or damages, to the amount of 40,000 marks, taking an oath never to seek revenge upon him, giving hostages for the observance of that oath during ten years, and, finally, undertaking a Crusade, with a fleet of a hundred sail. But, whether the Regent and great vassals of Denmark were unwilling to pay so high a price for their sovereign, whom they trusted to redeem more cheaply by force, or the Earl, when the conditions were to be performed, demanded double the sum fixed for ransom, thus exasperating the Regent, who had the 40,000 marks ready—the story is told both ways —([164]) the treaty, at the due moment of execution, was broken. If the Danes had hoped to wrest Waldemar from his captors by force, they were disappointed. The two Earls, of Schwerin and Holstein, had many allies, including the turbulent Archbishop of Bremen, the illegitimate Waldemar, who had taken the monastic vows to appease the Pope; but who now, eagerly left his cloister, assembled his friends, and in arms joined the enemies of the royal kinsman, whom he envied, and therefore hated. In the following year, 1225, they defeated the Danish army, taking the Regent himself; when Hamburg and Lubeck embraced the opportunity to throw off the yoke of Denmark, once more becoming, by charter, and this time permanently, Free Imperial Cities. Further hesitation as to the acceptance of the treaty being impossible, before the end of the year, Waldemar, his son and his nephew, were at liberty. In presents of horses, jewels, and furs, to the Earl of Schwerin and his knights, the King is said to have nearly doubled the sum named for his ransom. And, as if this were an equivalent for the cessions to which he was pledged, no sooner was he free,

than he applied to the Pope for a dispensation from his oath, as extorted:—upon such a plea might every treaty be invalidated by the vanquished. But, strange to say, Honorius granted the dispensation, and did more; he exhorted the Emperor—not, as he might, to recollect that he had formally ceded the provinces he now claimed, but—not to let a paltry sum of money weigh in the balance against his honour.(165) Frederic paid no attention to the exhortation, which he probably thought silly; but ordered Waldemar to be coerced, if necessary, into the fulfilment of the treaty, and gave Pomerania in vassalage to Brandenburg.

But this same year, 1225, unhappily saw the end of Archbishop Engelbert's regency, and that, prior even to Waldemar's release upon promising the restitution of the Slavonian provinces. The prelate's firm repression of all lawless violence and impartial administration of justice, without regard to rank or position in the offender, had provoked the vengeance of all who profited by, or revelled in, the licence of anarchy. Amongst these, was the son of his own sister, the Earl of Altena and Isenburg, the oppressor and plunderer of a nunnery, to which he was hereditary steward. The Archbishop, in his strict impartiality, summoned his nephew before his tribunal, which pronounced upon him the regular punishment of those offences, including restitution of what had been taken. The vindictive and unprincipled nephew collected a band of ruffians like himself, surprised the prince-prelate upon his road to consecrate a new church, in a remote district of his archiepiscopal province, and murdered him; the nephew, with his own hand, striking the first blow. Heinrich von Molenark, one of the Archbishop's attendants, carried the bloody garments of the victim to Cologne, and, like Mark Antony, by their exhibition well nigh enfrenzied the inhabitants with thirst of vengeance. Nor had they long to wait for the draught. The atrocious deed was too openly perpetrated to admit of question, as to either crime or criminal. The sacrilegious, almost parricidal nephew, was immediately excommunicated by the Legate and outlawed by the Emperor; the Diet ordered his castles to be razed, and ere many months had elapsed

he was betrayed by his accomplices into the hands of Molenark, now elected Engelbert's successor. Upon the anniversary of the murdered prelate's obsequies, the Cologners saw his murderer broken on the wheel. The Bishops of Munster and Osnaburg, being accused of complicity in the murder, were deposed and excommunicated by Honorius, who further pronounced Engelbert a Blessed Martyr.(166)

The Emperor had associated Lewis, Duke of Bavaria, with the Archbishop of Cologne in the regency of Germany; but the Duke, well satisfied that his colleague was fully equal to his task, had not only seldom interfered, but held himself at liberty to leave Germany for a Crusade; in which opinion Frederic so fully concurred, as to give him the command of his first detachment of Crusaders. The Duke had now, however, been for some time at home, and, seeing the altered posture of affairs, exerted himself to supply that lost colleague's place: but many obstacles prevented his doing so effectually. The young King, having completed his fourteenth year, when thus robbed of his accustomed Mentor, was pronounced of full age to govern. His father had not been older when he took the helm of state; but Henry was in every respect inferior to his father; and, if a regent were no longer indispensable, an able and influential counsellor was much needed. The prelate, of whom so flagitious a deed had deprived him, the King was accustomed to respect and obey; and, from habit, might have continued to do so. Lewis possessed no such customary influence over him, to counterbalance a boy's longing for the mastery of manhood; and the adulation of sycophants early interfered with his advice. They could not, however, immediately prevent its being followed, often and much as they managed to thwart the new Counsellor; and for awhile the government proceeded tolerably. Frederic was evidently conscious of his son's incompetence to rule the turbulent German princes, although flattering himself, perhaps, that Henry's youth and inexperience were the sole obstacles. Being unable, then, to cross the Alps for the purpose of rearranging the administration, he could merely endeavour by letter to give the Duke of Bavaria weight; and antici-

pate the opportunity of more efficient intervention, during the convoked Diet. Yet more to confirm the boy-monarch in his supposed maturity, he, again like his father, was at this early age, married. The wife selected for him was Margaret, eldest daughter of Leopold the Glorious, Duke of Austria; an alliance which, if it secured him the support of that powerful duchy, involved him, a few years later, after Leopold's death, as partisan rather than Sovereign, in the "never ending still beginning" broils, wars, and feuds, of his brother-in-law Frederic the Combative. An ominous gloom was cast over the connexion by a catastrophe that saddened the nuptial festivities. From forty to sixty persons, some being ecclesiastics, are reported to have lost their lives amidst the public rejoicings upon this occasion, either from the pressure of the crowd, or in the quarrel that occurred between the Archbishop of Treves and the Graf von Truhendingen, and the consequent riot amongst their followers.(167)

Lombardy—where the meeting between the Emperor, his son, and his German vicegerents was appointed to take take place—and Tuscany, were, then, as usual, bristling with hostilities, ferocious as ever in character. There, Azzo, who had succeeded to his elder brother — who, poisoned or not, died young—as Marquess of Este, having taken Fratta, put man, woman, and child to the sword. There, still as usual, Guelph cities were striving to emancipate themselves from the slight degree of sovereignty they still acknowledged in the Emperor; Guelph and Ghibeline nobles and cities were warring with each other; Guelph and Ghibeline factions warring within the cities; and, in addition to all these ordinary sources of discord, a new one had arisen. The plebeians were, in many towns, contending with the nobles for those municipal offices, of which the latter had previously had—whether by law or by customary reverence for high birth—well nigh a monopoly. In this new civil strife the Pope had interposed his mediation; which being accepted, he at Milan effected a compromise. He allotted half of the magisterial offices and two thirds of the embassies to the nobles, the remainder to the inferior citizens, who for the moment were content with this division. Analogous, though not iden-

tical compromises, gradually took place in most of the other cities;([168]) but, wherever republicanism was preserved, the democratic share increased from day to day. Yet amidst all this growing democracy, the Podestàs were still invariably chosen from the nobility: being foreigners, individual ambitions, envies, and jealousies, did not interfere with the desire to elect the fittest for the post.

The Lombards appear to have had no taste for Diets of the Empire within their precincts, or for armed Germans, there amicably meeting armed Apulians and Sicilians; and for the moment, at least, they effectually prevented the annoyance. They seized upon the Emperor's approach, at the head of a body of Apulian troops, to charge him with intending to deprive them, not only of their recently usurped privileges, but of all their oldest chartered rights. That Frederic II must, like Frederic I, have deemed Lombardy an integral member of his empire, is unquestionable. Equally so, that he must have felt her assumed independence, accompanied with habitual hostility, an immense obstacle to the union, and therefore to the easy government, of his widely-spread dominions: whilst the opposition of Milan, to his passage, when first invited to Germany, and since, to his receiving the iron crown, together with the contemptuous treatment the Bishops of Trent and Turin received from her, when sent to pacify Lombardy if possible, would indispose him to forbearance towards her and her dependent allies. That he must therefore have designed, when time and circumstance should cohere, to bring this province back to its pristine subjection, cannot be doubted: but who can suppose that he would select—as the opportunity for attempting, what he must have foreseen, from the determined pertinacity of the Lombards, would prove a difficult and tedious enterprise—a moment when, whilst the condition of Germany was causing him anxiety of various kinds relative to his only son, he was deeply pledged, under pain of excommunication, to lead a Crusade forthwith; to do which, since he had so pledged himself, as to a duty, had become important to his interests as King of Jerusalem?

The greatest step that Frederic can rationally be sup-

posed to have projected taking in that direction at the present time, was effecting his coronation with the Iron Crown of Lombardy: and this, the tolerable harmony still existing with the Pope, and the improved position of the now acknowledged Head of the Lombard Ghibelines, seemed to render feasible.

Ezzelino the Monk had, in 1223, earned his surname by retiring to a monastery where he took the cowl; leaving his ambitious schemes, with his extensive domains, to his two sons, Ezzelino and Alberico. The brothers had, in the first instance, deserted their father's politics, to join the league of Guelph nobles and cities in their north-eastern quarter of Italy. But they were presently irritated by the far superior influence of their hereditary rival the Conte di San Bonifazio, at whose instigation the League adopted resolutions prejudicial to the Romano interests. They were at the same time exasperated by the conduct of the Pope, who, charging their father with heresy, commanded them to deliver him up to the papal tribunals; and, upon their non-compliance with this unnatural requisition, included themselves in the accusation. The brothers hereupon withdrew from the League, resuming the Ghibelinism of their house. Alberico, the younger brother, who in person announced this change to the Emperor, was by him kindly received, and promised whatever assistance he or his brother should require. Soon afterwards, in 1225, Ezzelino IV, by allying himself with the Veronese Montecchi,(169) not only achieved his own election at Verona, to the two, usually conflicting offices of Podestà and Capitano del Popolo, but was further enabled to induce or oblige Vicenza similarly to elect Alberico, and, jointly with Padua, to defray the expense of a body of Germans and of Saracens, sent him by the Emperor.

To receive the iron crown, Frederic might think an useful preliminary to his Crusade. So might he reasonably think the persuading the Lombards, if possible, to rest content with the rights secured to them by the treaty of Constance. But from conciliation alone could he hope the accomplishment of these objects; existing circumstances, as has been seen, forbidding any attempt at compulsion. Hence, the Cremona Diet has been sup-

posed intended to feel the disposition of the Lombards towards this object.(170) The accusation was unsupported by any description of evidence; and, assuredly, upon the Lombards lies the *onus probandi*, since they were the aggressors, when the Emperor had made no move towards the execution of any design, lawful or unlawful.

The first measure adopted in Lombardy, as a preparation for the assembling of this Diet, was the renewal, for a period of twenty-five years, of the Lombard League, by Milan, Turin, Vercelli, Alessandria, Lodi, Piacenza, Bergamo, Brescia, Verona, Treviso, Vicenza, Padua, Mantua, Bologna, and Faenza. A report got abroad that this step was taken at the instigation of Honorius;(171) yet, however dissatisfied the Pope may have been with the Emperor's seeming dilatoriness relative to the Crusade, and continued struggle for the rights wrested from his mother, how much soever he may have wished to prevent the re-incorporation of Lombardy with the Empire, which would indeed have united Frederic's dominions into one formidable whole, he would hardly raise a new obstacle to the Crusade, by exciting a civil war between Frederic and the Lombards at that moment. The utmost of which he can reasonably be suspected, is a wish to exhibit to Frederic his own power over the Lombards. Be this as it may, the members of the League now remodelled and improved its internal organization, establishing, for the regulation of League affairs, a Committee of Rectors, consisting either of the chief magistrates, however entitled, of the cities, or of deputies elected for the nonce; and this Committee or Diet forthwith sent Frederic a long list of grievances, with an urgent demand for their immediate redress.

This revival and re-organization of the League, at the very moment of the Emperor's visit to Lombardy, if betraying a hostile temper, was no more than known right of the cities, both by the treaty of Constance and by the spirit of the feudal system, sanctioning private wars and private alliances: but the next acts announced positive revolt. Without awaiting even an answer to their list of grievances, the League proceeded to exclude the Emperor from Faenza and Bologna—in which towns he had announced his intention of resting upon his road

to Cremona; to forbid holding any intercourse with him—meaning evidently the supplying his troops with provisions—and to occupy the passes of the Alps, in such force as to close the entrance of Italy against the King of the Romans.

Henry, accompanied by the Emperor's German vassals, was hastening to meet his father and sovereign at the Cremona Diet, with an escort befitting the young monarch's dignity; but not with an army calculated, as the Lombards alleged, in co-operation with the Apulians, to enslave them. Had he been in such strength he must either have forced his passage, unless forbidden so to do by Frederic, which would again acquit the Emperor of hostile intentions, or have acknowledged himself a rebel against his father. Henry did neither. He and the German princes appear to have quietly awaited the Emperor's instructions at Trent, which, at their departure, they are said to have wantonly burnt.

Frederic's proceedings upon these hostile demonstrations indicated anything rather than a plan for enslaving Lombardy, ready to be put in execution. Having been joined on his way by the Legate whom the Pope had appointed to undertake the spiritual guidance of the Crusade he had preached, Conrad Graf von Urach—one of the Duke of Zäringen's hostages at the anti-Swabian Diet of 1198, now a Cardinal and Bishop of Hildesheim—he permitted him, together with the Archbishop of Milan, to mediate between the League and himself. They were authorized to allay the professed alarms of the confederated cities, by offering them, in his name, the ratification of all rights and privileges recognised by the treaty of Constance, and any reasonable alteration in the time or place of the Diet's sitting, if either really were a cause of apprehension. But these were not the objects of the Milanese. The offers were scornfully rejected; whilst few indeed of the members of the Lombard League sent deputies to Cremona, where the Diet sat, as proposed, the offered changes being refused. Upon the 11th of July, the Emperor and Diet denounced the ban of the Empire against the refractory cities, which the Cardinal Legate, with the full concurrence of the Lombard prelates

present, laid also under an interdict. But Honorius, though he professed disapprobation of the conduct of the Lombard cities, at once cancelled the interdict.

Although the constrained absence of the Germans, from Cremona, prevented the Diet's regulating the affairs of Germany, its attention, as well as the Pope's, was called even beyond that country to the condition of the Prussian bishopric, amidst the still Heathen Prussians. Honorius had taken great interest in Bishop Christian's missionary labours, and had sent the Bishop of Modena, a very learned ecclesiastic, to forward the good work by translating religious books, calculated to instruct the Heathen, into the Prussian language, as soon as he should have acquired it. But the success of all these exertions had latterly been thwarted by the selfish ambition of Conrad Duke of Mazovia, who aspired to the conquest of Prussia. This Polish prince was strong enough to throw off even the nominal allegiance still due to the supreme Duke of Cracow, but not sufficiently so to dispense with the assistance of which this independence deprived him; and was, in fact, every way unfit to achieve the objects at which he aimed. He was licentious, cruel, false and tyrannical. He had judicially got rid of his best general and statesman, the guardian of his own youth, for remonstrating with him upon his many vices, first privately; and, when that proved ineffectual to work his reformation, publicly, before his court. The angry Duke caused a calumnious accusation to be brought against his censor, who was thereupon imprisoned and tortured to death. Nor had Duke Conrad abilities, that could in any degree compensate his moral deficiencies, or his want of politico-physical force. His invasion and purposed subjugation of Prussia was conducted without judgment, and in a spirit too sanguinary, even for the temper of the age. He thus enabled the Heathen priests, who had seen their power endangered by the progress of Bishop Christian, to exasperate the people against the religion of their ruthless invaders. This result of the Duke's cruelty seems to have driven the Bishop, in terror for his life, to join him, however reluctantly; whereby his little remaining influence was quite lost; and his proselytes relapsed into idolatry.

The Prussians defended themselves resolutely, expelled the Poles, with whom Bishop Christian left the country, and became in their turn the invaders.

Christian, thus exiled from his proper sphere, made up his mind that the Prussians, to be converted, must first be subjugated; and, by his advice, Conrad, who proved as unable to defend Mazovia as he had been to conquer Prussia, first attempted to found a military Order, similar to that of the Brothers of the Sword. This new Order was still in its very infancy, when, being cowardlily deserted upon the field of battle by the Duke and his Mazovians, it was actually annihilated.(172) The Duke then entreated the Fraternity he had copied to come to his assistance. But the Sword-bearers were no longer what they had been. Engaged, even from their institution, almost uninterruptedly, in wars with their Heathen neighbours, the schismatic Russians, the Swedes, and the Danes,—who one and all aspired to sovereignty over the Livonians—they had grown tired of thus incessantly shedding their blood, for the protection of the Bishop and his flock and the salvation of savage souls. They had demanded remuneration, and quarrelled respecting the division of conquests, the payment of tithes, and other topics, with the prelate to whom they owed both their social existence and the property with which they were endowed. Legates interposed in vain; and the efficiency of the Order, either for its own advantage or the safety of those it had been created to defend, was deteriorated. The Duke of Mazovia found no help in the Sword-bearers.

Again, by advice of the Bishop, supported by Henry the Bearded, Duke of Lower Silesia, Conrad now besought the assistance of the Teutonic Knights, whose services he proposed to repay by ceding the province of Kulm, then utterly devastated by the Prussians, to the Order, to be held in vassalage of Mazovia, until the conquest of Prussia should be completed, when that country was to be divided between him and the Order, and Kulm restored to him. Divers circumstances combined to render this proposal agreeable to the Grand-Master. The Order had expended much money and blood upon the defence and the culture

of their Transylvanian domains. They had expelled the Kumans, had built five strong fortresses for defence against them; and under the protection of their swords, the district had become populous and thriving. Andreas had thereupon resumed his grant; Honorius had indeed obliged him to cancel that resumption; but the Knights felt their possession destitute of stability, and in 1225, Andreas had again resumed Burza. In Palestine, the Marians were harassed by the jealousy of the older Orders, of whom the Templars resented their wearing a white mantle; unappeased by the grave representations of the Pope, that the difference in form between the crosses of the two Orders, must prevent any danger of Templars and Marians being mistaken for each other.

The proposal of a new field of action, with the prospect of a principality for the Order, being therefore welcome, was by Hermann von Salza laid before the Pope and the Emperor. The latter is said to have expressed his approbation in these words: "Therefore has God raised Emperors above all Kings, and extended the Empire over several zones of the earth, that Emperor and empire may glorify and spread his name amongst the Heathen." With the sanction of both his temporal and his spiritual Chief, the Grand-Master conditionally and prospectively accepted the offer. He postponed the effective assistance of the Marians until after the Crusade then organizing, in which the main force of his Order must be employed; but that duty performed, he cheerfully agreed to avoid collision with the ill-will of the Templars and Hospitalers, by changing the principal theatre of the Teutonic Knights' services from Palestine to Europe. For the moment, he merely despatched two knights, with eighteen attendant horsemen and men-at-arms,(173) to ascertain the facts of the case, the relative condition of the Duke of Mazovia, the Heathen Prussians, and the Christian missionaries, and, generally, the feasibility of the project; as also to demonstrate to the Polish Prince, by their prowess, the value of his future allies. Frederic, who highly prized this German Order, and had endowed it with lands in Alsace, even before he knew Hermann, now created the Teutonic Grand-Master a Prince of the Empire, and

Honorius presented him with a costly ring, to be placed upon the finger of every Grand-Master at his election, in acknowledgment of his and his Order's services in the late Crusade in Egypt.

Bishop Christian had, in person, brought the Duke of Mazovia's proposals; and upon him Honorius now bestowed the see of Kulm, in lieu of his always rather unsubstantial Prussian See; which, since Conrad's defeated invasion, was become completely what is technically termed a bishopric *in partibus infidelium*. From Christian, the Pope likewise learned, both, the incessant hostilities in which the Bishop of Riga and the Brothers of the Sword were involved with the schismatic Russians; and the danger to which these last had lately been exposed from the Mongols. That barbarian host was still advancing westward, and one division, taking a more northerly line, had overrun and subdued some of the heathen Tartar dependencies of Russia, and defeated the Russian army that had hastened to their aid. The Russians, not much less barbarous than the Mongols, exasperated those conquerors by murdering the messengers sent to offer terms of peace, and the conquest of the whole conglomeration of Russian principalities appears to have been deferred solely by the accident of Gengis Khan's needing, for the moment, all his hosts united in the East. The Pope, upon learning this state of affairs in the north-east of Europe, addressed an encyclical letter to the Russian Princes, imputing their misfortunes to their heresy, and offering them assurance of protection, peace, and happiness, within the pale of the Church. It hardly need be said that the epistle, like many previous papal attempts to convert those northern schismatics, provoked only derision.

These affairs being despatched, and most of the intended business of the Diet rendered impossible by the continued refractoriness of the Lombard League, and the consequent absence both of Lombard deputies and of the Germans, it broke up. Frederic endeavoured to conciliate the Pope by admitting the five prelates whom he had hitherto rejected, and abandoning all claim to the revenues of vacant benefices; and then laid before him his complaints against the Lombard League, submitting his quarrel with

them to the Holy Father's arbitration. He trusted in the justice of his cause—the League had again displayed bitter enmity, by prohibiting the election of Podestàs from any place within his dominions—and was persuaded that Honorius could no longer feel dissatisfied with him. He returned to Apulia, without further communication with his son, to invest the papal bishops with their temporalities. The Lombards, even if conscious that their conduct, as a probable obstruction to the progress of the Crusade, must have displeased Honorius, still, relying upon the inevitable anti-Ghibelinism of a Pope, readily agreed to abide by his decision. But Honorius himself, whether influenced by mistrust of his own impartiality, or by reluctance to risk incurring the resentment of either party,—and to please both must, he knew, be impossible—repeatedly declined the office of arbitrator.

At length, pressed by both parties, he, on the 9th of January, 1227, pronounced a verdict by which he really did anger both. Taking no notice of the rights usurped from, or of the insults offered to, the Head of the Holy Roman Empire, nor even of an act of such positive rebellion, as opposing the passage of the King of the Romans, summoned by the Emperor to a Diet, the Pope treated the monarch and his revolted vassals, as upon a footing of perfect equality. He decided, that, both parties shall abjure their wrath and hatred, both releasing their prisoners; that the Emperor shall revoke the ban of the Empire, denounced against the Lombard League; which, on its part, shall equip, and for two years maintain, 400 horsemen, to serve in his crusading army, and shall, moreover, execute justice upon all heretics. The last of these required concessions being made solely to the Pope, and the former nearly as much to him as to the Emperor, they could not be considered as any sort of atonement offered to their offended sovereign; whilst the Milanese, numbers of whom were heretics, besides being little disposed to such execution of justice upon themselves and their fellow-citizens, were irritated at the very idea of contributing to the triumph of the Emperor, whom they hated, as grandson of him who rescued Lodi from their tyranny, and as the rightful claimant of authority, which they now chose to disown.

But Frederic, observant of his plighted word, submitted to the distasteful sentence; the Milanese, on the contrary, objected and delayed, till they had well nigh exhausted the Pope's patience. He rebuked them as severely as was in his nature, and at length they also submitted; in words, that is to say, for they neither equipped their quota of Crusaders, nor prosecuted their heretics.

To receive this submission, and to appoint the ex-King of Jerusalem Papal Governor of the territories pertaining to the Matildan heritage, were about the last pontifical acts of Honorius III. Upon the 18th of March, of the current year, 1227, he died; and with him expired every, even the feeblest, spark of papal kindness for Frederic II and his family, the remotest approach to a disposition to put a candid construction upon his conduct, hitherto somewhat, if but faintly, tempering the tone of the Lateran to the ex-ward of the Roman See. For, notwithstanding such extraordinary proceedings on the part of Honorius, as dispensing with the King of Denmark's oath, and the favour shown the Lombard League, even at the risk of impeding the Crusade, he really seems to have retained some lingering affection for his royal pupil, and did allow for his difficulties. His hostile acts were prompted by temporary dissatisfaction, skilfully worked upon, and by honest fears of Frederic's power, should he ever be actual master of Lombardy. The loss of this feeble degree of goodwill was a serious calamity to the Emperor-King; and enhanced by the consequent correspondent change in his own mind. Nothing resembling the half-filial sentiments he entertained towards the guardian and towards the preceptor of his youth, henceforward remained, to allay the monarch's keen sense of the advantage that had been taken of his mother's embarrassments, and of his own early weakness, or to blunt his philosophic perception of the contrast between papal pretensions and even the papal title of Servant of the servants of God, to say nothing of Gospel doctrines and apostolic example.

The very day after the decease of Honorius, the Cardinals assembled to give him a successor. Their choice fell upon the Crusade-Legate, Cardinal Conrad, Bishop of Hildesheim. But, unfortunately for Frederic, the Le-

gate was honestly devoted, heart and soul, to the furtherance and conduct of the Crusade, committed by Honorius to his care; and he positively refused to exchange the hallowed duties, imperatively assigned him by the deceased Pope, even for those of the Supreme Head of the Church. Upon his refusal, Cardinal Ugolino was unanimously elected; and with stern joy did he, then in his eighty-first year, accept the arduous office.

The new Pope, who assumed the name of Gregory IX, was a member of the Segni family, was said to be a nephew of Innocent III, although full fourteen years older than his reputed uncle:—Innocent, who died A.D. 1216, in his fifty-fifth year, would not quite have completed his sixty-sixth in March, 1227. Gregory was a man of sincere piety, ascetically austere morality, strong intellect, as strong prejudices, and indomitable will. He had been habitually intrusted with the management of the most intricate affairs by his predecessors, and had seldom failed to achieve the object in view. At the age of eighty his vigour of body and energy of mind seemed unimpaired.

The first care of Gregory was the promotion of the Crusade, to which he resolutely addressed himself. He compelled the Lombard League to fulfil the conditions imposed by Honorius, at least with respect to preparing their contingent towards this expedition; for it is by no means clear that his stern reprimand touching the lukewarm dilatoriness of the cities in quest and punishment of heresy was equally effective. He at the same time admonished the Emperor that no loitering, beyond the time prefixed for his embarkation, would be pardoned.

Frederic's preparations had been advancing with the full approbation of Hermann von Salza, who jointly with himself superintended the naval department, and, during the delay, made frequent visits to Palestine, to keep the Emperor informed as to the country's actual condition. That the monarch had not in person stimulated Germany to the enterprise, was because, even in the interest of the Crusade, his presence was more urgently wanted in the Sicilies; which being apparent to the Grand-Master, he had, as far as might be, supplied the Sovereign's place

beyond the Alps. Frederic therefore felt the Pope's reproachful admonition to be uncalled for; the explanatory statements of Hermann, which, when appearances were less favourable had satisfied Honorius, should, he asserted, have equally satisfied Gregory. In fact, he needed no stimulating to an enterprise, in which, independently of religious motives, he was individually interested, for the recovery and security of his wife's heritage; a kingdom for a younger son, which, from its peculiar character and position, he valued so highly, that he gave it precedence of his own, entitling himself King of Jerusalem and Sicily. He had despatched a body of troops to Palestine the preceding year, and was sedulously urging everything forward for his own departure with a suitable army; in the task of rekindling the crusading spirit amongst the German princes, he had provided for his son as his representative, being duly assisted. These exertions were so far successful, that his kinsman, the Landgrave of Thuringia, presented himself in proper time at the head of a body of Thuringian, Saxon, Franconian, Swabian, and Lotharingian Crusaders, and accompanied by one of the most renowned German poets of the day, Walter von der Vogelweide. But the rest of the crusading army had to be gathered from yet more distant parts—no less than 60,000 from England(174)—and, before all were assembled at Brindisi and Otranto, the month of August had arrived.

This was in every way unfortunate, for August was the last month of the final period of two years; and, according to the statements of most historians, though not Frederic's own, either from a concourse of martial pilgrims, especially of the indigent class, beyond all expectation—Frederic had only engaged to transport and feed gratuitously 9,000 men—or by mismanagement amongst the royal officers, the vessels ready to sail proved insufficiently victualled. Some delay necessarily ensued, whilst efforts were making to remedy this deficiency; during which, the summer heat of southern Italy wrought its usual noxious effect upon northern constitutions. An epidemic broke out amongst the Crusaders. The Bishops of Augsburg and Anjou died of it, and pilgrims of inferior condition

were swept away in crowds. The embarkation proceeded nevertheless, with all practicable despatch, Frederic being of course glad to send off those who were well, whilst they remained so; and divisions of the fleet appear to have put to sea as they received their supplies and their allotted number of passengers. At length, all was completed; Frederic himself went on board, accompanied by Landgrave Lewis, who was already suffering from the fatal malady, and a few other princes. The main body of the fleet now set sail.

It was not destined to reach Palestine, or at least to convey its splendid freight thither. Landgrave Lewis in a very few days died on board; and the Emperor, who was not likely to suffer from the heat of a climate in which he was born and had grown almost to manhood, having probably taken the infection, became so alarmingly ill, that the fleet put back. Frederic, upon landing, transferred the command of the expedition to the Duke of Limburg; placed all vessels that the Duke should, from the reduction of numbers, find that he did not want, at the disposal of the Marian Grand-Master and the Patriarch of Jerusalem; despatched an embassy to Rome to state the case—the actual impossibility of his then prosecuting his voyage—and having thus, as far as lay in his power, lessened the evil, he sought the restoration of his health at the Baths of Puzzuoli. But it should seem, either that the disease had fearfully indeed thinned the ranks of the Crusaders and yet more terrified them, or that the presence of the Emperor was really an essential element in the zeal of the majority; for so many had died, and so many, upon the fleet's return, deserted the cause, departing for their homes, that, of the vessels which had seemed insufficient for the host, very many were left as supernumeraries in the port. Hermann von Salza remained behind, seemingly to await the issue of the Emperor's malady.

Amongst those who persevered were the admired poet and a celebrated bigamist, Graf von Gleichen, both belonging to the Landgrave's own band. The last personage having left a wife at home in Thuringia, fell into Turkish bondage in the East, won the love of his master's daughter, was, as her bridegroom, released by her, brought

her to Germany, converted, and married her; Gregory IX granting the necessary dispensation, anglicè, permission thus to violate all Christian law. The story has been denied by Romanists to save the papacy from the disgrace of the act; but is recorded as certain by German historians, and seems to be as well authenticated as most historical anecdotes. The monument of the papally-licensed sinner, upon which he is represented with his two wives, is said still to exist at Gotha.(175)

The embassy which Frederic had, upon disembarking, despatched to Rome, was commissioned distinctly to explain to the Pope the painful, but unavoidable, discomfiture of the long-anticipated Crusade, by the terrible epidemic; that, sparing neither high nor low, had hurried thousands to the grave, and so scared the survivors, that, deserting their vow in swarms, they had fled homewards. The envoys were further to state the death of Landgrave Lewis, a victim to the same distemper which had utterly, though it was hoped only temporarily, incapacitated the Emperor for conducting an expedition or supporting a voyage: and they were to solicit the pitying sympathy of the Holy Father, as the only balsam that could soothe the Imperial Crusader's bitter mortification at this cruel accident. The embassy was ill received.

Gregory was exasperated beyond all bounds of rationality by this disappointment of a cherished hope. A considerable body of Crusaders was, indeed, forwarded to Palestine; but they were not headed by the Emperor; and upon an Imperial Crusade had he, like Honorius, built his hopes. But in order to appreciate the excess of Gregory's wrath, the peculiarly antipathetic opposition between his nature, feelings and opinions, and those of Frederick II, must be recollected. The one, a bigoted ascetic, having outlived the very memory of emotions, which it had been the business of his youth and manhood to subdue; holding all science, save Theology, profane foolishness,—heathen learning something worse; existing but for two objects,—it might be said, but in two ideas; to wit, the establishment of universal, papal supremacy, and the recovery of the Holy Land. The other, Frederick II, in the very spring and flush of passion and of exuberant animal life, who

—even if the accusations, in colloquial phrase, hourly dinned into the octogenarian pontiff's ears, by the vindictive ex-King of Jerusalem, be rejected as calumnies, and the most lenient view taken of the amours—must be allowed upon many points a lax moralist: at best enjoying existence with a zest, sinful in ascetic eyes. Nay, the very qualities which might be thought to offer some, if inadequate, compensation for such faults, Gregory regarded as only deepening their guilt. The sciences—chiefly derived from Moslem sources—the fine arts and literature, all of which the Emperor loved and patronized, and in some of which he displayed no little proficiency, the austere Churchman deemed devices and snares of Satan; the time, devoted to their cultivation, worse than profligately wasted. Thus the intellectual character given to the pleasures of the Imperial Court, instead of palliating its gaiety and luxury, only rendered these the more offensive to the Pope; who judged the poets and artists, drawn around him by Frederic from all parts of the known world, more objectionable than the jugglers, buffoons and jesters, following in their wake.

Thus prejudiced and angered, Gregory refused to listen to the plea of illness urged by the Emperor's envoys; and, upon the 29th of September, fulminated, against the recreant Crusader, the sentence of excommunication, as incurred by the terms of the San Germano convention, the last concluded with Honorius. This proceeding, which later Italian writers, the most hostile to Frederick II, censure as precipitate, and which the Pope himself seems to have apprehended might possibly be so deemed, as well as harsh, his Holiness vindicated in epistles of complaint and accusation, addressed to all the sovereigns and chief prelates of Europe.(175*) This incrimination is too curiously characteristic of the times and of the Pope, as well as in itself too momentous, being generally looked upon as the source of Frederic II's enmity to the papacy, or, correctly speaking, to papal ambition, to be overlooked; but, being far too prolix for complete insertion, the main points shall be here partly condensed, partly extracted.

After comparing the Church to a ship assailed by all

manner of tempests, and driven between, the long unfailing, Scylla and Charybdis, the Pope thus proceeds. "Whilst the Church of Christ, perturbed with anxieties, believes that she is nursing sons at her breast, she is in truth nursing fire, snakes, and basilisks,(176) who with breath, bite, and conflagration, strive to work universal ruin. For the slaying of such monsters, vanquishing of hostile armies, laying of troublous tempests, the Roman Church has in these days most diligently fostered a nursling, the Emperor Frederic, whom, as it were, from his mother's womb, she received into her bosom; whom she has suckled at her own breast, has borne on her own shoulders (*humeris bajulavit*), has often snatched from the hands that sought his life; has sedulously educated, has with great pains and at great cost, reared to perfect manhood, has advanced to royal dignity, and finally to the summit of temporal grandeur, the Empire. All this has she done hoping to find in him a rod of defence, the staff of her old age. But ingratitude, beyond a child's to his mother, has Frederic displayed to the Church." Then follows an enumeration of the Emperor's crusading vows, the first of which Gregory asserts he took spontaneously, without even the knowledge of the Apostolic See, and of his applications for delay, unfavourably coloured by the hostility of the writer, who proceeds. "Many thousands of crusaders, at his urgent and repeated call, hurried at the appointed time to Brindisi. But, often as our predecessor and ourself exhorted him to fulfil his promise of providing all necessaries for the expedition, they found neither victuals nor other requisites; and because the Emperor, forgetful of his salvation, detained the Christian army so long in the burning summer heats, in the region of death and pestilential air, disease swept away not only a great part of the people, but no small multitude (*non modica multitudo*) of nobles and chiefs. Many, returning home, weakened by sickness, have found a miserable death upon high roads and mountains, in forests and caverns. The warriors, who wrung from the Emperor leave to attempt the voyage, notwithstanding the default of conveyance and provisions,(177) even upon the festival of the Nativity of the Blessed Virgin [the 8th of Sep-

tember], the advanced season at which all ships return from transmarine countries, set sail, exposing themselves to all the perils of sea and storm for the sake of Jesus Christ, and trusting to be soon followed by the Emperor. For, without the Imperial leader on whom they relied, they knew they could be of little avail in the Holy Land. But he, violating his promise, breaking the bands that fast held him, trampling the fear of God under foot, contemning the reverence of Jesus Christ, setting at nought the censures of the Church, deserting the Christian host, abandoning to unbelievers the Holy Land, which the Christian army would long ago have gotten in exchange for Damietta, had not imperial letters once and again interdicted that exchange, to his own and all Christendom's shame, he lets himself be drawn back by the voluptuous delights of his kingdom, cloaking his default with idle pretences. Attend, therefore, and see if there be any grief like the grief of the Apostolic See, your mother, so cruelly and so often deceived in the son, whom she suckled, &c." Gregory now returns upon the benefits conferred by the Church upon Frederic; and this singular paper concludes with wishes for the conversion of the Emperor, whom the Pope professes to have, as a Cardinal, sincerely loved.

Gregory next addressed an epistle to Frederic, containing a repetition of all these reproaches, with others in regard to his government of Sicily and Apulia; but not a syllable relative to the real offence, of which Frederic's warmest admirers cannot acquit him, namely, the evasion of his solemn, though assuredly extorted promise, to sever the Sicilian crown from those of Germany and the Empire. Could Gregory hold this engagement satisfied by the committal of the government of Germany to young Henry? Or was he reasonable enough not to expect such severance until Frederic's death? Neither is there in these angry papers any allusion to such irregularity in the marriage of Henry VI and Constance as should render Frederic illegitimate; or to ill-usage of Yolanthe; a silence surely sufficient to refute both this accusation of Jean de Brienne's, and the idea of Constance having been a nun.

Gregory thenceforward refused all the solicitations of the Imperial envoys for an audience; and, upon the 11th of November, more formally and solemnly, renewed the excommunication of the defaulting Crusader. It was now that Frederic, provoked at being anathematized for illness, first decidedly resisted or opposed the pretensions of the Roman See. In the course of the month he put forth, in answer to the Pope's invectives, a manifesto addressed in epistolary form, to all the crowned heads of Europe, as also to the German and Italian princes and prelates, his own vassals. Of this paper also, in which the Emperor seems much less intent upon the historical vindication of his own conduct relative to the Crusade, than upon denouncing papal ambition, the most important parts, compressed in like manner with Gregory's, must be given.

In his letter to the King of England (preserved by Matthew Paris), the Emperor, whilst criminating the Pope then seated in St. Peter's chair, does not spare his former guardian. He bids Henry appreciate papal intentions by a Pope's conduct towards his father, King John, as well as towards his kinsmen, the Earls of Toulouse, and many other princes; thus proceeding: "The end of all time is surely at hand, for the love that governs Heaven and earth seems failing, not in the bye streams, but in the main springs. * * * * Passing over simonies, extortions, and usuries [*usuras*], manifest and covert, hitherto unheard of. * * * * But in discourses sweeter than honey and smoother than oil, the insatiable blood-sucker avers that the Court of Rome is the Church, our mother and nurse; whilst the acts of that Court, the root and origin of all evils, are those not of a mother, but of a stepmother; showing by her fruits what she is." He then returns to the treatment of John, against whom his Barons were stirred up until "the enormously bowed down [*enormiter incurvatus*] King, with womanish weakness, subjected himself and his kingdom to the Roman Church; when the Pope, casting aside all respect for the world and fear of the Lord, abandoned to death and forfeiture those whom he had previously stirred up and supported, in order, Rome-like, to gorge a ravening maw upon what was fattest. Behold the ways of Romans

* * * ravenous wolves in sheep's clothing." He observes that they (and Gregory most of all) send about Legates with authority to excommunicate, &c.; commissioned "not to sow the seed, that is to say the Word of God, for future fructification, but to extort money, and reap what they never sowed." He charges them with plundering the holy churches—including, seemingly, all pious and charitable foundations—which he calls the habitations of the Saints, the refuge of the poor and the wayfarer, founded by pious and simple generations; and proceeds: "The primitive Church, teeming with Saints enrolled to perpetuity for veneration, was founded in poverty and simplicity. But other foundation can no man lay than that laid in the Lord Jesus, and by him established. Now therefore that they [the Popes], sail in riches, wallow in riches, build up in riches, it is to be feared that the walls of the Church being broken down, ruin may invade. The Searcher of hearts knows that against us they rage with unjust fury, saying that we *would not* set forth for the Holy Land at the appointed time." He then explains the many hindrances—affairs of Church and Empire, the Sicilian rebellion and the epidemic, of which he speaks as prevailing prior to the arrival of any Crusaders, and unavoidably retarding the naval preparations—that had delayed him, his own illness obliging him to return, and ends by calling upon all the Princes of the earth to unite against such avarice and iniquity, because, "Your own house is in danger when your neighbour's is on fire. (*Tunc tua res agitur, paries cùm proximus ardet.*)"[178]

Such, indisputably, were the opinions governing the conduct of Frederic II, during great part of his reign. His struggle was not, like his grandfather's, against individual hostile popes, but a philosophic stateman's against the papal system of usurpation, or in other words, an effort to rescue temporal sovereignty, from the thraldom to ecclesiastical authority, which from day to day became more galling. These opinions might be as much the fruit of his gradually matured experience, as of indignant resentment at Gregory's outrageous proceedings. And, unfortunately, in those days, when no reformed Church as a sanctuary for the deserter from Romanism, existed,

opinions of this kind would naturally lead to some degree of lukewarmness, growing into indifference, if not towards religion in its spirit, yet towards its outward forms, and perhaps ultimately even towards its creeds. In Frederic's case such a tendency would, as he advanced in life, be unavoidably and doubly promoted, by his feeling himself indebted to the Arabs for almost, if not quite, all the scientific knowledge and philosophy he so highly prized; as also by the unswerving loyalty of his Saracen subjects—after their rebellion begun in his childhood was quelled—and by the good faith of his Mohammedan allies and enemies, as compared with the conduct of many of his Christian vassals, or of Gregory IX, and his successor, Innocent IV. As yet, however, his infidelity, if to be so named, had made little progress. Enthusiastic Romanist writers, of the present day, allow that he was a faithful son of the Church, until irritated beyond human endurance, by Gregory IX.(179) And, assuredly, if the views of his contemporaries—who, in their censures of his neglect of the Holy Land, seem never to have considered his right to the kingdom of Jerusalem as any incitement to the Crusade—be adopted, the zeal with which, even whilst publishing this bold philippic, this actual declaration of war against the papacy, he was urging forward every preparation for resuming the expedition in the spring, shews him to have still been a good Christian, as Christianity was then understood.

The Emperor now announced his intention of sailing for Palestine in May, 1228, and invited crusaders from all parts of Europe to accompany him; offering a gratuitous passage to those who were unable to transport themselves thither, but declaring that he would wait for no one. He at the same time called upon the prelates in his dominions to share in the enterprise, in purse at least, when they could not in person. But, if he thought by this late fulfilment of his vow, to appease, or at all propitiate the Pope, he was egregiously mistaken. The sternly despotic old man required humble penitence, and implicit obedience. The presumption of thinking to merit Heaven by performing a Crusade whilst under excommunication, was in his eyes an additional sin; and he forbade the Emperor's

ecclesiastical subjects, upon pain of the like doom, to contribute in any way to an attempt so sacrilegious. Many availed themselves of the prohibition to save their money; but, generally speaking, this implacability provoked great dissatisfaction, amongst clergy as well as laity. Gregory has been taxed with having so hated Frederic, as to have preferred his ruin to the recovery of the Holy City: and that, at a later epoch, after their second quarrel, he was actuated by such odious passions, seems indubitable. But to suspect him of these upon Frederic's first offence—if offence his relanding when ill can be called—however disgracefully unchristian, as well as impolitic and unjust, were the acts to which anger impelled the self-entitled vicegerent of the God of Mercy and Long-suffering, seems hard. The idea is, moreover, inconsistent with his conduct for some years after their reconciliation. The octogenarian Pope's irrational violence, upon the present occasion, is abundantly explained by the action of disappointment, upon his passionate and headstrong character.

The Lombards, to whom dissension between the Pope and the Emperor always promised facilities, for establishing the absolute independence at which they now avowedly aimed, seized the opportunity. They again,—and again, now with truth, alleged, in obedience to the commands of the Pope—([180]) occupied all the Alpine passes with armed bands, and obstructed the influx of German crusaders. They plundered, ill used, and drove back, all those, who, in detached parties, were hastening to obey their Emperor's call. But if Gregory thus obtained useful partisans in northern Italy, he, whom he so virulently attacked, was not without his auxiliaries, some of whom were peculiarly annoying to the pontiff, being his own subjects. Frederic had, in the spring of that very year 1227, had an opportunity of winning the good will of the Romans, by sending ample supplies of corn to the Eternal City, then suffering from scarcity.([181]) He had likewise had a recent opportunity of earning the attachment of the powerful family of the Frangipani. That largely estated house had by some accident been much distressed for ready money; when the Emperor purchased all their palaces and estates in

and about Rome; immediately granting them in vassalage to their former proprietors; in fact, he restored the whole. The Frangipani, of course, became leaders of the Ghibelines in the Estates of the Church. Confident that none of these services could yet be quite forgotten, the Emperor directed his Envoy, Roffredo di Benevento, who had been Professor of Law at the University of Bologna, as he then, seemingly, was at the Neapolitan, to read his justificatory manifesto, publicly, at the Capitol.(182)

To believe that so violent an attack upon the papacy should have been publicly read, in the very seat and centre of the Pope's temporal sovereignty, were difficult; nor does such an effort of faith appear requisite. The document itself not having been found, is known only through the accounts given by contemporary historians: the best authorities, among modern writers, hold the aggressive portion of the manifesto to have been appended to those copies only which were addressed to European sovereigns; not to those sent to his own vassal prelates and princes; and, if omitted in any, would of course be so in this one. The probability, indeed, seems to be that each copy of the justificatory manifesto was modified, according to the person to whom it was addressed.

But how much soever, or how little soever, of the Emperor's vindication Roffredo read, both Senator and people, vehemently stimulated by the Frangipani, declared in his favour. Fiercely were the Pope and the Romans again embroiled; and when at Easter, 1228, Gregory renewed the excommunication of the Emperor, pronouncing his vassal kingdom of the Sicilies forfeited to the Papal See, by his contumacy, the people, at the call of the Frangipani, rose in rebellion. A short struggle ensued, ending in the expulsion of Gregory from Rome. He took shelter at Perugia.

When the month of May arrived, Frederic was again not prepared to embark. He despatched such troops as were ready, some 500 horsemen, under Marshal Ricciardo Filangieri, to Palestine; but did not himself follow them before August. During this interval the Empress-Queen Yolanthe gave birth to her only child, Conrad, paying for her maternity with her life. To await the birth of his

child, the heir of the kingdom for which he was going to do battle, appears to have been one of Frederic's motives for this delay, as he soon afterwards summoned the Baronage and Prelacy of Sicily and Apulia to meet him at Baroli; where, in an assembly so numerous as necessarily to hold its sittings in the open air, he announced his final arrangements, to which he required assent upon oath. They were these: providing evidently for an absence, liable to indefinite prolongation.

All the Barons and Prelates of the Kingdom of Sicily and duchy of Apulia, and their vassals, shall live in peace amongst themselves, as in the days of King William II.—Reginald Duke of Spoleto is Regent, during the Emperor-King's absence.—Should the Emperor-King die, his son Henry is his successor in the Empire and in the kingdoms; to Henry, should he close his earthly career without issue, his brother Conrad shall succeed; should both die childless, the succession shall fall to any other legitimate son of the Emperor-King; or, failing such, the Sicilian throne to any legitimate daughter that he may leave.—All the vassals of the kingdom shall swear to observe these regulations; which shall remain law, unless the Emperor-King should see fit, by testamentary dispositions to change them. All present took the required oath; and, upon the 11th of August, Frederic finally set sail to perform his long vowed, often deferred, Crusade. So successfully had the Lombards opposed the passage of transalpine crusaders, that he was attended by only 100 knights with their men-at-arms and other followers; but accompanied by the Marian Grand-Master, who, as impartial writers observe,(183) highly exalted his character by thus braving the consequences of papal resentment, in his attachment to the Emperor. Might they not add, that he thereby acquitted the Emperor of all the more odious of the charges brought against him; since a man of Hermann von Salza's acknowledged piety, virtue, and superior intellect, cannot be supposed to have voluntarily run such risks for the sake of a licentious and brutal atheist?

In obedience to Frederic's orders, a new embassy, as soon as he was fairly at sea, repaired to the Papal Court, to announce the fact to the Holy Father, and solicit the

revocation of the anathema, inasmuch as the doomed sinner was now a penitent, actually performing his vow. But Gregory, as before said, considered this step, unless preceded by submission, penance, absolution, and consequent papal sanction, as a new act of rebellion against his supremacy. His temper was exacerbated by his expulsion from Rome, on account of his quarrel with the Emperor; whence his view of the adverse party's conduct was not likely to have become more lenient. He not only rejected the petition, and renewed the excommunication, but actually despatched two Franciscan friars to Palestine, with letters calculated, by thwarting all his measures, to prevent the success of the anathematized Imperial Crusader.

CHAPTER IV.

FREDERIC II.

Condition of Syro-Frank States—Sixth Crusade—Frederic in the East—Gregory's Machinations—Consequences—Treaty with Mohammedans—War in Apulia—Frederic's Return—Triumph—Reconciliation with the Pope. [1227—1231.

And in what condition was the King of Jerusalem to find the strip of sea coast, now constituting the whole remainder of his deceased Empress's kingdom? In what condition had Marshal Ricciardo, and his predecessor, the Duke of Limburg, found it? Still exempt from external war, in virtue of King John's treaty with Sultan Kameel, but, as usual, distracted with internal discord. They found the laity at feud with the clergy; the different orders and classes of the clergy with each other; the Templars with the Hospitalers, and both with the Patriarch; the Venetians, Genoese, and Pisans amongst themselves—in a conflict between the last two a considerable part of Acre had been reduced to ashes;—and, finally, the Earl of Tripoli was under excommunication, on account of a quarrel with the Hospitalers.

Fortunately for the remnant of the Syro-Frank states, their Mohammedan neighbours were in too similar a condition, to profit by these dissensions, for expelling the Latin Christians from Asia. War had so long raged between Kameel, Sultan of Egypt, and his brother, Moaddham, Sultan of Damascus, that the former, always disposed to live at peace rather than in hostility with the Christians, was induced to seek their alliance against his fraternal foe. He had sent an embassy to Sicily, to treat with Frederic, as King of Jerusalem, respecting terms

of alliance. The Emperor had thereupon made demands, that may be presumed reasonably high, of restoration; though the little disposition towards a general Crusade then discoverable in Europe, might lead him to think the lost portion of Yolanthe's patrimony more likely to be recovered by negotiation, through the quarrels of the brother Sultans, than by armed invasion. But, to revive the suspicion, that Gregory's anger against Frederic overpowered his desire for the redemption of the Holy places out of Paynim hands, papal emissaries appear to have visited Cairo, and informed Kameel that the Emperor was excommunicated and deposed. The first and veracious part of the intelligence would not much affect the Sultan; but a deposed, and consequently powerless sovereign, he would conceive to be an useless ally. He therefore declined to make the cessions demanded by Frederic, and the negotiation dropped.

When the Duke of Limburg reached Acre, he and his companions, as usual, vehemently urged the Palestine authorities to put an end to the truce; and, with unusual punctiliousness, giving the Saracens previous notice, to renew the war. But Frederic's vicegerent, Tommaso d'Aquina, Conte di Acerra, represented that the defalcation in numbers, consequent upon the Emperor's absence, had left the Duke's force too small to justify him in renouncing the temporary security afforded by the truce; and peremptorily refused to commence hostilities till the Emperor himself should arrive. A large proportion of the Crusaders, transported to Palestine at Frederic's expense, hereupon declared, that they considered the obstacle, so wilfully opposed to their full performance of their crusading vow, as a release from its obligations; wherefore, their pilgrimage being completed to the utmost of their power, they were determined to return home. This resolution both Earl and Duke of course earnestly opposed; and a sort of compromise was at length effected. Whilst many of the refractory Crusaders persisted in abandoning the Crusade, a considerable body agreed to await the Emperor's arrival; and they even agreed further—as no one denied, that Cæsarea and Joppa must be thoroughly fortified before attempting Jerusalem—to labour mean-

while at repairing the defences of those strongholds; that labour—as a necessary preliminary to the siege of the Holy City—being admitted as an instalment of the active service in the field, to which their vow pledged them. But this now, as in the third Crusade, was a mode of contributing to the recovery of the Holy Land, far less to the taste of the age, than "changing hardiment with" the Saracens; and the Patriarch, in his letters to the Pope, complains that the numbers, who chose to consider their whole crusading debt speedily thus discharged,([184]) had reduced the army, when Filangieri landed with his corps, to 800 knights or lances, and 10,000 foot.

Whilst this was passing amongst the Christians, Sultan Moaddham died at Damascus; and his surviving brothers, Sultan Kameel, and Malek el Ashraf, Prince of Khelaut in great Armenia, and of Edessa, combined to plunder his son and heir, their nephew, David, a mere boy. The boy's guardian, Emir Aseddin, said to have been a renegade Templar, manfully resisted the nefarious attempt; whilst Malek el Ashraf grasped at Kameel's proposed share of their nephew's spoils, in addition to his own. Hence Kameel's desire for Christian allies, of power sufficient to render them useful, revived in full force.

The Emperor, upon his way to Acre, invited by some of the chief Cypriots, landed in Cyprus, where his interposition was much needed. King Hugh was dead; his son Henry still a minor; and the government, in the hands of the Palestine Baron, John of Ibelin, his kinsman of the half-blood, through the second marriage of the young King's great-grandmother, the Greek widow of Almeric I, of Jerusalem. Frederic, now, at the prayer of many Cypriots, claimed the regency; but whether in his capacity of Lord Paramount, either as King of Jerusalem or as Emperor—Cyprus, like Lesser Armenia, having lately assumed to be a vassal state of the Holy Roman Empire([185])—or in virtue of his nearer relationship—Henry's mother being the deceased Empress Yolanthe's aunt—contemporary chroniclers have not explained. The Emperor likewise demanded from John of Ibelin the restitution of Beyrout, conformably to the laws of Jerusalem. The Baron made a vain attempt at resistance;

but, upon obtaining from the Emperor a grant of the restored city in vassalage, submitted, and did homage for it. Frederic then appointed a regency, and prosecuted his voyage.

Hopes had been entertained of Asiatic co-operation, in this Crusade. Honorius III had, whilst it was in preparation, received a letter from Russutana, Queen of Georgia, in which she informed him that her brother, the late King, had only by an invasion of the Mongols—now steadily pouring westward, but in a line north of Syria—been prevented from joining the Crusaders in Egypt; and that, the Mongols being now expelled, although her brother was dead, she, his successor, had 40,000 men ready, under her Constable, to act with any crusading army. The Crusade was not then ready; and, when Frederic reached Palestine, the Mongols were again so threatening, that the Queen durst not lessen her means of defence at home.(186) The Emperor-King of Jerusalem, thus thrown upon his own resources, landed at Acre on the 7th of September, and was received, with all due honours, by clergy as well as by laity. Even the arrogant Templars and Hospitalers, according to old custom, bowed the knee before him, kissing his knee; and the only unpromising circumstance was, that the Patriarch, amidst profuse demonstrations of respect and regard, refused to accept the kiss of peace from a sovereign lying under excommunication.(187) Still, even independently of the Pope's implacability, might the prediction have been hazarded, that this harmony would be short-lived; so many were the grounds of dissension existing. To the two Grand-Masters of the powerful and self-willed military Orders, to the Patriarch of Jerusalem, to the Palestine Great Vassals—all long accustomed to coerce the Kings, whom, by chusing them for the consorts of their Queens, they had, in fact, appointed—the presence in the kingdom of a monarch, as potent as he was able and absolute, could not but be irksome. Those kings had been glad to purchase the crown by almost any concession; whilst the Emperor deemed it his own, or at least his son's by inheritance from Yolanthe, without reference to their assent. Hence

these Magnates, wholly unused to control, were already irritated at the authority which the Conte di Acerra had, in his master's name, asserted, and, as they complained, exercised with great arrogance. Acerra had besides involved himself in a quarrel with the Templars. Subsequently, when hostilities were renewed, they accused him of favouring the Saracens—the favourite accusation of the times, probably because scarce open to disproof—but whether they meant as a traitor to, or as the accomplice of, his King, may be a question. For the moment, however, all submitted to their Sovereign, whose exalted rank flattered their pride; and the scheme of crusading operations was discussed. The existing truce, according to its express conditions, ceased by the very fact of the Emperor's landing; but he was unwilling to begin hostilities with the small force at his disposal—so manifestly inadequate to the conquest of the kingdom. He therefore resolved to adopt and carry out the plan of the preceding year, which had as yet been executed only in regard to Cæsarea; Frederic's first proposed measure was to lead the Crusaders, together with the Palestine forces, to Joppa, where he would direct and superintend their labours upon the dilapidated fortifications.

But, before a move could be made, arrived the Minorite Friars, with the Pope's epistles, which, when read, were found to prohibit all Christian men from obeying the excommunicated Emperor; and assign the command of his German and Italian Crusaders to the Grand-Master of the Teutonic Knights; to Marshal Ricciardo and Eudes de Montbelliard, that of all Palestine and Cypriot troops. These papal injunctions were naturally welcome to those, who felt the authority of a sovereign galling; wherefore Frederic's endeavours to counteract this mere ebullition of papal rancour, as he considered it, were unavailing. In vain, he published the justificatory manifesto, so successful at Rome; at Acre, meeting with an audience, in great part at least, differently disposed, it proved ineffective. The Templars and Hospitalers, sacrificing their mutual animosity, united their efforts to shake off the dreaded yoke of a powerful monarch, and only the

Teutonic Order, under Herman von Salza, with the Germans, Sicilians, and Apulians, as also the Pisans and Genoese, steadily adhered to the Imperial Crusader.

When the march to Joppa began, the result of Gregory's missives appeared. Frederic issuing his orders, set forward in person, followed by the Marians and the faithful Crusaders. The Templars and Hospitalers refused to disobey the Pope, by obeying an excommunicated leader. They, indeed, marched for Joppa, where they felt their presence indispensable to the safety of the remaining provinces, as well as of the Crusaders; but they carefully marked that they did not move in obedience to the Head of the Crusade, even as King of Jerusalem. In marching by day and encamping at night, they interposed such a distance betwixt themselves and the Imperial army, as demonstrated their perfect independence of the authority by which it was governed. A procedure, that, by revealing to an enemy, no longer bound by the armistice, the disunion and consequent weakness of the defenders of the Holy Land, exposed both divisions to be separately overwhelmed. Frederic was painfully sensible of the dangers, which this wilfulness must bring upon both army and kingdom; and gladly adopted an expedient suggested by Herman von Salza. It was to issue all orders, not in his own name, but in those of God and Christendom, thus enabling the military monks to take their station amongst the Crusaders, without disobeying the Pope. And, this verbal concession satisfying the consciences of the Knights, who, how much soever they might wish their Emperor-King out of their way, assuredly desired not the destruction of the crusading army, or the consummated ruin of the kingdom, they joined the camp.

But, if such a verbal concession on the part of the Imperial Head of the Crusade were satisfactory to the two Orders, their mode of acceptance was by no means equally so to him. He could feel no confidence in them should danger threaten; and, finding himself thus awkwardly situated, as a general, naturally turned his thoughts to negotiation, rather than arms, for effecting his object. He had already despatched an embassy to Kameel, commissioned to announce his landing, by which the truce

was ended, and to assure the Sultan that no lust of conquest had brought him to Palestine, but simply the duty of inforcing his son's rights; rights which extended to the possession of those parts of Palestine conquered by Saladin, and still held by the Mohammedans, as well as of those over which the boy's mother and grandmother had reigned. The envoys, who bore this message, were charged with valuable presents, as tokens of the sender's amicable disposition.

Kameel's need of a powerful ally, remaining as great as ever, biassed him in favour of Frederic, whose appearance, and measures in Cyprus and in Palestine awoke distrust of the information he had received from the Pope. Intelligence from that quarter, he could not but be aware, was designed not to benefit himself, but to harm the Emperor, or both, if possible. The reception of the Emperor-King of Jerusalem's embassy at Cairo was, therefore, alike amicable and brilliant. The Sultan reviewed his army for the entertainment of his diplomatic visitors, or for their enlightenment touching his military power. And he sent an embassy to Palestine, in return for Frederic's, laden with presents, consisting of the choicest produce of the East, as jewels, wrought vases of gold and silver, silks, with elephants, camels, monkeys, and other rarities. But at the same time, he led an army towards Joppa.

This diplomatic intercourse so far answered Kameel's political purpose, that Ashraf conceived serious apprehensions of an alliance between his fraternal rival and the Imperial Crusader. He, in consequence, proposed to Kameel, as an adjustment of their differences, the division of the Damascus dominions between them, Palestine being included in Kameel's share, and the co-operation of their powers in compelling David to rest content with his Mesopotamian provinces. But David and his Guardian, objecting to this arrangement, were now encamped at no great distance to the north, as was Kameel to the south, of the Crusaders; Ashraf, keeping aloof,—as uninterested in the Palestine question, since he had resigned his pretensions to that kingdom—was occupied, whether successfully or not, with the conquest of the provinces to which he laid claim. So nearly were the forces of these

three Moslem princes balanced, that the union of any two must evidently insure the destruction of the third; whilst, as evidently, the existence of the Crusaders and the kingdom was contingent upon their continuing at variance. A position well calculated to produce a conciliatory temper in all parties.

Under such circumstances the negotiations between the Emperor and the Sultan made progress, and were enlivened in a manner, unique in the Middle Ages, if not in the whole history of diplomacy. Kameel's embassadors, the Emirs Fahreddin and Shemseddin, two of the most learned Arabs of their day, when Arabs were the most learned of living men, recreated themselves after their laborious diplomatic contests, with conversations upon scientific subjects. In these, as in the diplomatic contests, their Imperial antagonist bore his part, and they were as much impressed by the general coincidence of his philosophic views with theirs, as they were charmed by his knowledge of their language, his pleasing manners, and his marked consideration for themselves. Frederic likewise, in true Arab taste, sent astute questions in mathematics and metaphysics to Kameel, for solution; who, on his part, though esteemed a learned prince, not judging himself equal to devising parallel questions, with which to puzzle the Emperor, committed the serious task to the profoundest philosophers in his dominions.

In the midst of this unusual commerce between rivals for a kingdom, Kameel received letters from two parties, whose respective positions rendered them yet more extraordinary correspondents for a Mohammedan Sultan. Both letters incredible, did they not rest upon evidence, that must be allowed all but incontrovertible. Both melancholy instances of the degree in which prejudice and passion can supersede, not only all sense of right and wrong, but what would naturally seem to be the individual's main interest and object; as well as the respect which every man owes to his own character, station, and profession. The Pope, meditating the conquest of Frederic's maternal heritage, during his absence upon this Crusade, sought for means of preventing his return home to defend his property. To this end he actually wrote to

the Sultan—the previous communication, if really made, was verbal, through emissaries, only half acknowledged—to dissuade him from making peace with an anathematized prince, about to be rendered powerless by the loss of those kingdoms which his crimes had forfeited. This was the first act of epistolary treason to the Christian cause. The second was committed by the Templars, who, also by letter, gave the Sultan notice of a pilgrimage to some of the Holy places, which the Emperor and King of Jerusalem was about to perform, with a very small escort; thus betraying the Champion of the Cross into the hands of the Mohammedans, with whom their vow bound them to wage uninterrupted war. The Hospitalers are averred to have been cognisant of, if not active partakers in, this flagitious deed.(188)

Kameel was revolted by such treachery, and had no strong personal interest to counteract his better feelings. It could be no great object to him to capture a prince, who asked of him the sacrifice only of that which was hardly his, and which he had long before offered as ransom for Damietta; whilst, from that betrayed prince, he might hope for assistance, direct or indirect, in making compensatory acquisitions. He sent the Templars' letter to the Emperor. It was not the first warning Frederic had received of the disloyalty of the two Orders; but he had been reluctant to credit so infamous a violation of the peculiar duty to which they were pledged, namely, the protection of pilgrims. Their own letter was evidence irresistible, and this proof of "the reed," the broken reed, "on which he leant," in trusting to any support that Palestine could afford him, certainly did not lessen his desire to effect the recovery of Jerusalem by treaty. He had lately received other intelligence, calculated to make him very intolerant of detention in Syria; to wit, that a Papal army, under the command of his virulently inimical father-in-law, Jean de Brienne, had invaded his dominions, and was then overrunning Apulia. Frederic now determined to accomplish the object of his Crusade, in whatever way it could be most quickly effected.

The negotiations in consequence advanced rapidly, and ere long a treaty was concluded to the following effect.

A ten years' truce—a peace with unbelievers being on both sides still out of question — was agreed upon between the King of Jerusalem on the one part, and the Sultan of Egypt and the Prince of Khelaut and Edessa on the other; Ashraf having consented to be included in any convention Kameel might make with the European Emperor. In consideration of this truce, the Sultan engaged to restore to the King the cities of Jerusalem, Bethlehem, Nazareth, and Rama, with all the country extending from Jerusalem to Acre, Joppa, Tyre, and Sidon;(189) retaining nothing for the Mohammedans, in Jerusalem, except the mosque, named el Aksa, built by the Caliph Omar upon the site of Solomon's Temple,(190) and a small chapel, in which to perform their devotions: and even when they desired to visit these, their sacred edifices, the Mohammedans were to enter the Holy City unarmed, and only at such times as should suit the convenience of the Christians; remaining no longer than the religious rites of their pilgrimage required, and never, upon any plea, sleeping within the walls. All Christian prisoners in the hands of the two Moslem princes were to be released.

Of this treaty no copy appears to be extant, and very different representations of the terms were made by opposite parties. The above statement is taken from Frederic's letters to the Sovereigns of Europe, with the single modification that his description of the territory ceded, viz., "the kingdom, as when invaded by Saladin," has been changed into a specification of what he seems really to have got. If those words stood in the treaty, the Emperor must have known they were unmeaning the northern portion of the kingdom being apparently in the actual possession of David, an engagement by his uncles to restore it could only be contingent upon their wresting it from him, which, merely to give it away, they would hardly take the trouble of doing. The treaty was as distasteful to the Mohammedans, as it appears to have been to the Pope; and Arab writers limit the cession to Jerusalem and the country connecting the Holy City with Acre and Joppa, or with one of the two; whilst the Patriarch of Jerusalem makes it a mere

road between the restored capital and Acre. That Frederic should represent his acquisition in the best light possible, even by a little exaggerating, or accepting, for the nonce, promises that he knew must be fallacious, is so natural in his position—success was to him an acquittal from the Pope's accusation, a sort of proof that his excommunication was invalid—as, supposing the exaggeration to be but little, may surely be called venial. And a convention, consonant with his adversaries' statements, the Marian Grand-Master could not have sanctioned, nor yet the Emperor's misrepresentation of the cessions thereby obtained; without forfeiting his high character, which, even in Gregory's eyes, he will be seen never to have done. Again, Bethlehem and Nazareth, not being hallowed in Moslem estimation, would neither be to Kameel worth obstinately withholding, nor to Moslem writers—as desirous of reducing, as Frederic of magnifying, the cession in appearance—worth specific mention. The Patriarch, upon whose statements Gregory relied, was so bitterly hostile to the Emperor from the moment of the Franciscans' arrival, that what he says must be taken as dictated by prejudice; and so powerful is prejudice to bias the judgment, that even his misrepresentations need not always be supposed intentional. Some, however, must have been so. A rumour, originating with him, was circulated, that, by the treaty, the church of the Holy Sepulchre was to be common to Moslem and Christian. Now that this should pass current in Europe, in those days, is credible; but the Patriarch could hardly be ignorant, that Christian worship would desecrate a mosque to Moslem feelings, as much as theirs a church in Christian estimation; or that the church of the Holy Sepulchre had for them no peculiar sanctity, whilst Omar's mosque—both as the representative of Solomon's Temple, and as built by a highly revered Caliph—was esteemed most holy.[191]

Frederic is said to have shrouded his negotiations with Kameel in mystery—their progress probably, the presence of the Emirs in his camp must have been known—but, when the terms were agreed upon, he laid the treaty before the Grand-Masters of the three military Orders, and four Palestine Barons, asking their opinion of them,

prior to signing. They unanimously judged the conditions to be, if not as favourable as could be wished, yet as much so as, under the circumstances, could be hoped. He is said to have also sought the opinion of the English Bishops of Winchester and Exeter—probably as leading men among the Crusaders, not his subjects—and to have been advised by them, as also by the Grand-Masters, to consult the Patriarch Gerold, in his double capacity of Patriarch and Legate:—Cardinal Conrad had, of course, been forbidden to accompany Frederic. But the Emperor, who had already experienced Gerold's hostility to himself, replied that he needed not the Patriarch's counsels; and upon the 18th of February, 1229, signed the treaty.

The Emperor-King now set out for Jerusalem, inviting the Patriarch to accompany him, in order to purify and new consecrate the Holy Places, and the sacred edifices, about to be restored to Christian worship. Gerold had now a personal cause of ill-will to the Emperor and King, superadded to his adoption of the Pope's enmity; and indignantly rejecting his excommunicated sovereign's invitation, pronounced the promised restitution of Jerusalem a snare, laid by the Paynim Sultan and the anathematized Emperor conjointly, to entrap unwary Christians into Moslem slavery. He sent the Archbishop of Cæsarea to lay the Holy City itself, and all the places of especial sanctity, as most hallowed by the Passion of the Redeemer, under an interdict; whilst they should be polluted by the presence of him, who had regained them for Christendom as well as for himself. He forbade pilgrims to offer up prayers at them, or even to visit them, during the same period; and indeed longer, until the Pope should have been consulted and have decided the strange question, whether, so regained, they might be esteemed holy.

Frederic meanwhile journeyed from Joppa to Jerusalem, attended, apparently, notwithstanding the patriarchal prohibitions and anathemas, by all the Crusaders and by the Syro-Frank chivalry, in fact by the whole army—some evidence that the treaty was generally approved. He was also accompanied by the Emir Shemseddin, commissioned to deliver over to the Emperor, as King of Jerusalem, all the ceded districts, and to repress whatever disorders

might occur among the Moslem inhabitants, who would naturally be irritated at this transfer to Christian domination.

Upon the 17th of March, the Emperor-King reached Jerusalem, of which he was formally put in possession by the Emir. He immediately proceeded, in defiance of the Patriarch's prohibition, to visit in pilgrim-guise the Holy Sepulchre and other hallowed spots, whether impelled by genuine piety, or by the desire to prove himself a devout Christian, in refutation of papal calumny. But as the interdict prevented the celebration of mass, or any other religious rite, unless by such compulsion as Frederic was too wise to employ, his prayers were there offered up without any of the customary ceremonies, exhibiting the Emperor as an unjustly persecuted victim. His next step exhibited him as superior to such persecution. The interdict in like manner preventing a solemn coronation with the wonted rites and ceremonies, he boldly dispensed with them. Upon the Sunday next ensuing, in imperial robes and imperial state, attended by all who had followed him to Jerusalem, he repaired to the church of the Holy Sepulchre, took the crown off the high altar, where by his directions it had been deposited, and with his own hand placed it upon his head.

Then, at the Holy Sepulchre, the Grand-Master of the Teutonic Knights read aloud, in German, an historical vindication of the Emperor's conduct relative to the Crusade, similar to that read by Roffredo at the Capitol, and published at Acre; with the addition of a vindicatory statement of his conduct and operations, since his landing in Palestine. But this paper is strikingly distinguished from that of which an abstract has been given, by its respectfully temperate tone in regard to Gregory; whose violence and enmity are ascribed to misinformation; such as rendered excommunicating the calumniated Emperor-King of Jerusalem and Sicily a positive duty. A change designed to conciliate his Jerusalem audience rather than the angry Pope, who was even then endeavouring to wrest his hereditary kingdom from him. When Hermann von Salza had finished, Latin, Italian, and French versions of the paper were read, for the benefit of those

Crusaders and Syro-Franks who were unacquainted with the German language. The acquisition of the Holy City, the army's actual presence amongst those holy scenes, the very birthplace of their religion, for which they were indebted to the Imperial Crusader, had materially altered the disposition, in which the same vindication had been listened to at Acre. Moreover, their own knowledge that much of the new narrative was correct and the high character of Hermann von Salza, the Emperor's constant companion, a guarantee for the truth of the rest, gave weight to the preceding portion, whilst by following him to Jerusalem they had in a manner identified themselves with him. All these circumstances influencing the audience, even the statements, previously rejected, are said to have now been heard with a joy beyond the power of words to express,[192] and the uprightness of Frederic's proceedings in Palestine was generally acknowledged.

From Jerusalem, Frederic addressed letters to the European Sovereigns, with a relation of his operations in the Holy Land and their result; and it is from the one addressed to the King of England, that the account of the treaty with Kameel and Ashraf is given by Matthew Paris. But the interdict, and other effects of the Patriarch's adopting the Pope's enmity to the Emperor, would have made Palestine an irksome residence for the latter, even had his presence in Apulia not been imperatively necessary, to protect his dominions from papal invasion. His only other recorded acts in Jerusalem, were giving orders for the repair of the fortifications, and presenting the Teutonic Order with a palace adjoining David's tower. This he did partly in acknowledgment and recompense of their unswerving fidelity, but, mainly, because, having sprung into existence after the loss of the Holy City, they had not, like the other Orders, a house of their own in the capital of the kingdom; which was the proper headquarters of monastic chivalry. He then returned to Joppa, inspected the repaired and improved defences, and proceeded to Acre, where he arrived before the end of March.

At Acre he was unwillingly detained through the month

of April, the time being chiefly consumed in dissensions with the Patriarch, who persisted in representing the treaty as a gross deception, concocted between the Moslem and the pseudo-Christian sovereigns, for the purpose of deluding Europe, and betraying pilgrims into the hands of infidels. This accusation he grounded upon Sultan David's refusal to concur in a treaty, concluded for the surrender of provinces which—if unable to defend them—he claimed as his own, by uncles at war with him; one of whom, Ashraf, was then actually besieging him at Damascus. But this alleged fictitious character was not the Patriarch's sole objection to the treaty. Even if honest, he reprobated it as illegal; because the restored places were delivered to the excommunicated Emperor—at most, the father of the hereditary King—and not to himself, the Pope's representative. Occupied as well as annoyed by the necessity of contending against such complaints and accusations, Frederic could do little towards pacifying the kingdom or improving the government. At length some sort of reconciliation was effected between him and the Patriarch; when, again appointing the Conte di Acerra, Viceroy, he on May-day set sail for Italy.

Much, indeed, was his presence needed there. Whether Gregory had originally projected taking advantage of Frederic's absence upon his Crusade, to conquer his maternal heritage, as Giannone positively asserts, may, fortunately for the honour of the papacy, be doubted; but that he was far more easily, than became the self-entitled spiritual Father of Christendom, provoked to attempt that conquest, is certain. The provocation was early given. The Emperor had been unlucky, and in some measure imprudent, in his choice of a Regent. Reginald von Lützelenhard, son and heir of the German invested with the duchy of Spoleto, by Henry VI, and dispossessed of it by Innocent III, was naturally an inveterate enemy of the Roman See, enriched with his birthright. The Emperor relied upon that enmity to his persecutor, as insuring him, in the Duke without a dukedom, a vigilant guardian of his dominions and prerogatives against papal encroachment; but he forgot that this enmity might assume an aggressive character.

Duke Reginald, thus predisposed against Rome, was exasperated beyond all bounds of discretion, by Gregory's pertinacious injustice. His treatment of the embassy, sent to announce the actual commencement of the Imperial Crusade; his refusal to relieve from excommunication a monarch at that very moment in arms for the service of the Church, performing the precise duty for neglect of which the sentence had been fulminated, was the drop that overflowed the cup. Eagerly seizing upon the occasion that justified him in indulging his inclination, he pronounced this an insult, as well as an injury, to their sovereign, in which only dastards could acquiesce; an act of hostility, rendering war inevitable: and upon this opinion he hastened to act. He concerted his movements with his brother Bertold, Imperial Vicar in Tuscany, and simultaneously and vigorously the brothers, the one from the south-east, the other from the north-west, invaded the duchy of Spoleto, which, though claimed by the Emperor, was then, as now, included in the Papal States. They farther betrayed the vindictive sentiments actuating them, by carrying on the war as savagely as they had begun it rashly, putting all prisoners, even ecclesiastics, to death, often having first tortured them.

The Pope, of course, excommunicated the brothers; but he chose to impute their aggression, not to their own anger at having lost, and desire to recover, their father's duchy; but to the commands of the Emperor; as if a rational being would involve his dominions in war, whilst debilitated by his own absence with his best warriors. Acting upon this accusation, as though to accuse were to convict, Gregory announced his intention of re-annexing those forfeited fiefs, Sicily and Apulia, to the Roman See. He offered the Lombard League, upon condition of assisting him to accomplish this great object, the pardon of past contumacy in tolerating heresy, and withholding their allotted quota from the Crusade, in the preceding year. Again, upon this occasion, the League appears to have been re-organized; Cardinal Ottaviano engaged for the Pope's contributing half the cavalry of the army to be raised, and more than half the money wanted for its expenses; and Milan took a third of the remainder

upon herself. Gregory expected great results from this arrangement, and in hopes of rearing another equally useful ally, afforded every encouragement to the ripening Tuscan League, and a still younger sister, a similar separate federation amongst the cities of Romagna. He proclaimed a sort of Crusade against the absent Crusader, and thus accomplished the raising of two armies; to which, in order to stamp them troops of the Church, whilst fearing to profane the Cross as the standard of a purely temporal quarrel, he gave as their ensign St. Peter's keys. Hence their Italian designation of *Chiavisegnati*, *i.e.*, Key-signed, or Key-bearers, in opposition to that of the true Crusaders, *Crocesegnati*. But, if the Pope thus showed some respect for the sign of the Cross, he is taxed with more than neglect of its service in the Holy Land; with having expended in levying and equipping these Key-bearers, the money deposited in his hands to defray indigent Crusaders' expenses, or otherwise contribute to expeditions for the recovery or defence of Jerusalem. One of the armies, thus raised by a breach of trust, was placed under the joint command of the ex-King of Jerusalem, and of Cardinal Colonna, and directed to expel Duke Reginald from the Papal territories; the other, led by a papal Chaplain, Pandolfo of Anagni, was destined to invade Apulia. In both armies, Sicilian and Apulian rebels held high positions.

If Gregory did, as seems but too certain, so far forget what was due to the assumed character of Spiritual Head of Christendom, as to write to the Moslem Sultan of Egypt, the letter must have been despatched about this time, when he ordered the invasion of the absent Crusader's kingdom. He certainly now addressed letters to all Christian monarchs justifying an act, which, obstinate as were his prejudices, he could not help feeling, required explanation. In these, he repeated his former inculpations of the Emperor, with the addition, that this sacrilegious defier of the Church, had projected this attack upon her property during his own absence in Palestine. And again, upon receiving the Patriarch of Jerusalem's new accusation, of collusion with the Mohammedans, desecrating the Holy Sepulchre, &c.,[193] he forwarded them to the same

princes. He despatched epistles, similar in tenor, to the German princes, whom he exhorted to cast off their allegiance to the enemy of Christians, the friend of Mohammedans, and even that due to the son, attainted by deriving his existence from a father excommunicated for pertinacity in sin. Thus freed, he bade them place a new sovereign upon the throne.

In Apulia, meanwhile, Reginald being in the Papal States with his army, the Grand-Judge, Enrico di Morra, raised troops with whom to oppose the invaders. The fortune of war fluctuated. In the first instance, Morra rapidly drove Pandolfo and his Key-bearers out of the kingdom; but a few weeks afterwards, in the beginning of March, 1229, the Chaplain being very considerably reinforced, renewed the invasion, gave battle to the loyal Apulians, and defeated them, taking the Grand-Judge himself prisoner, together with a son of the absent Earl of Acerra. He then made himself master of San Germano; and, seemingly, as the ransom of his captives, obtained the surrender of Montecassino. The disaffected, headed by the Earls of Celano and Aquila, caught at this favourable opportunity to revolt; and the country, as far as, and even beyond, Benevento, fell into the hands of the Key-bearers, and their confederates, the rebels. The Grand-Judge, when set at liberty, found the small force he could at the moment collect, scarcely sufficient to protect Capua.

Upon the eastern side of Italy, meanwhile, Jean de Brienne not only, according to his instructions, expelled Duke Reginald from the duchy of Spoleto, but pursued him into the Abruzzi, where town after town opened its gates to the invaders. One alone offered resistance; namely, Bojano, where the nursery of the infant Prince Conrad had been established. The inhabitants, proud of being the chosen protectors, to whose courage and loyalty their Sovereign's child was confided, closed their gates, manned their walls, and there exhibiting the royal and imperial babe, thus loudly admonished his maternal grandfather: "It is thy duty to preserve his patrimonial kingdom to thine innocent grandson, not to rob him of it." De Brienne coldly replied: "Obedience to the Pope is the

first of duties." He passed on, nevertheless, without exposing his grandchild's life to the hazards of a siege.

Almost as efficiently noxious invaders were the swarms of mendicant friars, with whom the Pope had inundated the realm. Armed with spiritual weapons, interdict, indulgences, and absolutions, they traversed the country in all directions, preaching rebellion against the sinful, excommunicated King, the disloyal vassal of St. Peter. To assist their exhortations, or, rather, taking a different road to the same goal, they disseminated a report of Frederic's death; and, when it was in general circulation, asked, could an infant in arms protect them against the troops of the Pope, their Lord Paramount? The loyal were indeed disheartened, the malcontents encouraged to revolt, and anarchy prevailed throughout the land; whilst Gregory, sullenly brooding over his expulsion from Rome, hoped to find at Naples compensation for that humiliating fact, with increase of power, sufficient to reduce the rebelliously Ghibeline Romans.

It was at this moment of pontifical exultation, of despondency, little short of actual despair in the hearts of the loyal, that intelligence of the Emperor's having landed at a small town near Brindisi, fell like a thunderbolt upon his enemies, like a sunbeam after tempest upon his faithful vassals, who had scarcely dared to hope, that he was still alive. The erst dispirited loyalists resumed their courage; the waverers, who had shrunk from resisting the spiritual Head, and, as Lord Paramount, temporal sovereign of the kingdom, now flocked to the Imperial standard; the war was again vigorously prosecuted, though in a spirit purely defensive. But Frederic, whatever might be his private sentiments towards his inexorable persecutor, had too lately and too painfully experienced the evils resulting from a pope's animosity, and the lying, however undeservedly, under excommunication, not to be most desirous of reconciliation with a foe wielding such powers. One of his first steps, therefore, was again to send an embassy, consisting of the Marian Grand-Master and the Archbishops of Bari and Reggio, to the Pope, to offer explanations of his conduct, refute the Patriarch's calumnies, state that he had duly punished his Lieutenant's

attempt upon the duchy of Spoleto, and, having thus vindicated him, to solicit relief from the sentence of excommunication.(194)

High as was the character, as well as the station of these embassadors, Gregory turned a deaf ear to their representations and prayers, as he had previously closed his eyes to the Grand-Master's written statements. Herman von Salza's letter is extant, and gives a glowing account of all that the Emperor had done for the recovery of the Holy Land. Obstinacy was the very groundwork of Gregory's character; was innate, and found, could it have needed, support, in the pride with which he contemplated the success of his soldiers of the Keys; and in his reliance upon his fiercely anti-imperialist Lombard allies. Some trust he may likewise have felt in the effect that his epistolary attacks upon Frederic must produce upon the public mind of Europe; enhanced by the new accusation of having quitted the Holy Land, before the period, during which he was pledged to bear arms for the Cross, expired. Thus arrogantly confident of immediate and complete triumph over his contumacious vassal, the Pope treated the statements, arguments, and prayers of the prelates, and of the universally respected Marian Grand-Master—an eye-witness of all that he asserted in behalf of the Emperor—with as much contempt, as those of preceding, humbler envoys.

But all adventitious support soon failed the headstrong old man. The Emperor, as before said, had, from Jerusalem, addressed a narrative of his conduct in Palestine to the Sovereigns of Europe, and the Princes of the Empire; adding the reasons that compelled him, when in the recovery of Jerusalem, the chief object of the Crusade was achieved, to return to Europe before the time prefixed: those reasons were, the hostility of the Pope and the invasion of Apulia by the Key-signed armies. For the truth of his statements, he had appealed to the two Grand-Masters of the Hospitalers and the Marians; to the impartial English Bishops of Winchester and Exeter; and even to some Dominican friars.

The impression made by these letters annihilated Gregory's hopes from his. No unprejudiced person appears to

have hesitated in believing Hermann von Salza, and Frederic's other guarantees, in preference to his accuser, the Patriarch Gerold. The Romans sent a deputation to congratulate the Emperor upon the success of his Crusade, and his safe return, and to assure him, as well of their constant attachment to himself, as of their reprobation of the Pope's conduct. The Lombards, notwithstanding their treaty with Gregory, seemingly so advantageous to them, had afforded him little assistance. Not being engaged in resisting every exercise of that authority, which in words they still hardly denied to the Emperor, they were engrossed by rivalries and feuds among themselves, by factions within the several cities. Attachment to the Pope they had none, being inclined to heresy; and, in the Emperor's absence, saw no need of interrupting their passionate internal contests, to wage Papal wars in Apulia. The few troops they did send thither, proved quite as troublesome by their insubordination and wilfulness, as useful on the field of battle. Gregory had trusted that the return of the dreaded Emperor would stimulate them to exertion; but even in this he was disappointed. Whether they were in a casually loyal mood, or dissatisfied with the Pope's insistance upon the punishment of heretics, certain it is that the exertions of the now sanguine Ghibelines overpowered Guelph fear of the imperial power; and the League refused again to guard, at Gregory's bidding, the Alpine passes. Hence the Germans, who—instead of deposing Frederic and Henry, and electing an anti-king—were separately hurrying, at the imperial summons, to Naples, there to congratulate the successful, but ill-remunerated Crusader, and assist him with their swords and their counsels, if not yet with their whole vassalage, crossed the mountains unopposed.

Nor was this the worst of Gregory's disappointments. His Key-bearers were mercenaries, and their pay was in arrear. The mercenary troops of those days bore, as has been intimated, a character more resembling that of banditti, than of the soldiers of fortune of later times, or even of the intermediate *Condottiere* bands; and those who had enlisted under the banner of the Keys were reputed

the most recklessly ruthless vagabonds of their class.[195] Their demands were irresistible; but the funds diverted from the service of the Holy Land were exhausted; and to satisfy these formidable creditors, their leaders seized Church property, whether plate, jewels, or money, in all places under their control. Even the revered Abbey of Montecassino was plundered by the Legate, to pay the soldiers of the Keys; an act of sacrilege, which, as doubly revolting in Papal officers, provoked the most indignant resentment throughout Apulia, alienating even the clergy from Gregory. It proved, moreover, insufficient for the object; and the impatience of the unsatisfied Key-bearers threatened fearful consequences; whilst the severity, unusual in him, though habitual in his contemporaries, with which Frederic executed justice upon such of the leaders as, chancing to be his subjects, fell into his hands, alarmed the rebels and malcontents.

Thus was the Pope not only disappointed of all his expected reinforcements, but in danger of seeing his own troops turn against him. In addition to which, his generals, as might have been anticipated, were found no match for the Emperor. Jean de Brienne, who alone might have coped with him, had, during the latter part of the campaign, suffered his thoughts to be drawn off from the conduct of the Pope's war, by negotiations relative to concerns of his own; and about this time the result of those negotiations—a flattering invitation to Constantinople—produced the resignation of his command.

In that metropolis, the Emperor Robert died the preceding year, 1228; and although his notorious intellectual incapacity and moral vices might have seemed to render his decease a blessing to his subjects, it assumed, for the moment at least, an aspect the very reverse. Legitimate children he had none; but this was immaterial; his little brother, a Constantinopolitan born, who had not completed his tenth year, being at once, by common consent, placed upon the throne. So far all was concord; but the boy-Emperor required a guardian, the Empire a regent and champion, amidst encircling dangers; and here all unanimity ceased. Some of the Latin Barons of Constantinople proposed marrying young Baldwin to a

daughter of the mighty Azan, then undisputed, and thoroughly independent, King of Bulgaria, entreating the monarch to undertake the guardianship of his imperial son-in-law; thus securing, to the menaced and tottering empire, the friendship and efficient protection of its previously most formidable neighbour. But others, apparently the majority, dreaded the Bulgarian's friendship and protection, more than the enmity of all their foes. Months were consumed in factious contests upon this question; assuredly very important, but of which any speedy solution was, perhaps, less mischievous than procrastination.

At length the urgent need of decision producing action, overtures were made to the ex-King of Jerusalem; the hand of the juvenile Emperor was offered him for his daughter Martha, a child of his third marriage with the Spanish Princess, and for himself, as proposed for Azan, the regency during his imperial son-in-law's minority. But so unsatisfactorily unstable did the state of the Latin empire of Constantinople appear, that Jean de Brienne preferred the service of the Pope to the proud office of regent, even with the prospect of another imperial crown for another daughter. The negotiation languished awhile; then the Barons, agreeing amongst themselves that the abilities of Jean de Brienne were indispensable to the safety of the empire, offered him the Byzantine throne for life, deferring, until his father-in-law's death, the accession of the already acknowledged rightful heir, Baldwin II, who should possess, in the interim, only the Asiatic provinces. The title of Emperor, how insecure soever, was an irresistible lure; Brienne deserted the Pope and his Apulian war, hastening to Constantinople to receive the crown and celebrate his daughter's marriage.(196)

Thus generally blamed, disappointed of the allies upon whom he relied, unable to trust his own troops, and forsaken by his best, or, rather, his only general, the Pope became, perforce, almost as pacifically disposed as the Emperor. Negotiations were, thereupon, opened at San Germano, whither princes and prelates, amongst others, the Dukes of Austria, Carinthia, and Meran, and the Marian Grand-Master, repaired, to offer their mediation.

Upon the 28th of August, 1230, a treaty of peace between the Papal and Imperial antagonists was signed, by which all things were, as far as might be, restored to the state they were in prior to the first sentence of excommunication. By this treaty, Frederic acknowledged the Pope's claim to ecclesiastical authority on either side of the *Faro*, or Strait, granted a general amnesty to his insurgent subjects, or vassals, under which last designation the Lombards were included, as well as the Tuscans and Romagnotes; and was received again into the bosom of the Church. But it was especially provided that, should he fail in any one point, the excommunication should, *ipso facto*, revive. The Pope, on his part, pardoned and granted absolution to all who had borne arms against him; and the contracting parties engaged jointly to seek for means of reducing to obedience,(197) without detriment to the honour of the Roman See, the Apulian fortresses, Gaeta and Sta. Agata, which still refused to submit to their rightful King. From the moment the treaty was signed, not only do all papal objections to the manner in which the Emperor had recovered Jerusalem cease; but Gregory, retracting the censures, into which, he now averred, that he had been deluded by the Patriarch Gerold's misrepresentations, pronounced the treaty with the Sultan of Egypt to be the best that could, under the circumstances, be obtained. Yet do later historians repeat the accusation, overlooking the acquittal.

One of the first consequences of the restoration of peace, between the Pope and the Emperor was, the withdrawing of papal encouragement from the Tuscan League, which, in default thereof, languished, and presently died away. The infant Romagnote League, which Gregory had only tolerated whilst courting alliances against the Emperor, was more abruptly disposed of. He now commanded its immediate dissolution, prohibiting, under heavy Church penalties, any future attempt at such confederation.

The Pope then invited his reconciled Imperial son to visit him at Anagni, where he then held his pontifical court. The Emperor hastened thither, and was received with every mark of cordial good will. The most intimate, and,

apparently, amicable intercourse, taking place between these lately bitter enemies. Whether the mediating princes and prelates assembled at San Germano,—where Duke Leopold of Austria had died,—were also invited to Anagni, is uncertain; but, if they were, they were treated merely as forming, with the Cardinals, the Court of the two heads of the Christian world. The Pope and Emperor passed their time in confidential conference, to which, as to their meals, always taken together, neither Cardinal, nor Prince of the Empire, in fact no individual, was admitted, with the single exception of the Marian Grand-Master, whose exalted character, moral and intellectual, even more than his high, and, in that age, important office, marked him out as the fitting counsellor of Pope and Emperor, the fitting mediator between them. Of what passed in this privy council contemporary chroniclers were ignorant, nor is any record of its deliberations extant; but the adoption of one great political measure is known to have been there finally decided. This was the transfer of the main body of the Teutonic Order, from Palestine, to Prussia.

The Knights, whom Hermann had sent to treat with Duke Conrad, had found Mazovia overrun by Prussians, and the Duke absent, probably seeking Polish help against the invaders. At the request of the Duchess Agaphia they joined, if they did not take the command, of the Mazovian army; it was defeated, and they were left for dead upon the field. But their extraordinary prowess was the theme of general admiration; the prodigious slaughter they had made of the fierce, and previously scarce resisted Prussians, having completely decided the appreciation of the Order. The Duchess directed the Knights to be sought; and, being found alive, though desperately wounded, they were removed for tendance to her palace. Thence they despatched so favourable a report of the prospects opening in those regions, that Hermann, even prior to the Crusade, had sent a body of 100, under Hermann Balk, to occupy a wooden fort, that the Duke was building for them, and to co-operate with him in the defence of Mazovia.

The Grand-Master, since his return to Europe, had received the most satisfactory accounts from Balk, together

with enlarged offers from Duke Conrad. These were, a grant, to the Order, of Kulm, with additional districts, until Prussia, or a very considerable portion thereof should be conquered; and the whole of the Prussian conquests to be held in full property,(198) upon the single condition of constant active assistance from the Knights, in defending Mazovia against the Heathen Prussians and Lithuanians. These more advantageous proposals the Grand-Master, at Anagni, again submitted to the Pope and Emperor, requesting their sanction to his accepting them. Both approved of the now matured scheme. Gregory authorized the removal of the greater part of the Order from Palestine to Prussia, and the dedication of its future services to the conversion, by conquest, of European Heathens; granted them, in their new home, all the exemptions from episcopal superintendence enjoyed by the two original Orders—by which he at once made their original introducer, Bishop Christian, their enemy;—and facilitated their further operations, by allowing Crusaders thenceforward to perform their vows in Palestine or in Prussia, at their choice. Frederic fulfilled the promise he had made, when Duke Conrad's first offer was communicated to him, by investing the Order, in the person of its Grand-Master, with the provinces to be conquered, and, by conquest, incorporated with the Empire. Thus fully authorized by both his spiritual and his temporal sovereign, Hermann von Salza busied himself with the transplantation of more than half the Marians to Kulm, and their temporary establishment there, where, however, he did not fix the Order's head-quarters. In fact, the avowed head-quarters of a military monastic Order could only be at Jerusalem, when Jerusalem was in Christian hands; and those of the Marians were still nominally there, although the main force of the Order was in Europe. Neither did the Grand-Master, in person, conduct the war with the Prussians. This he committed wholly to Conrad von Landsberg, with the title of *Heermeister*, or Army-Master, and well did he and his knights perform their allotted parts. Nor were they unassisted. Attracted by the reputation of the Order, crusaders from northern and eastern Germany thronged to fight under

their banner, in so convenient a locality; and the conquest of the country proceeded steadily, the resolute defence of the Prussians merely delaying its progress. The Grand-Master reserved to himself, as his sufficient and more dignified duty, the general government of the whole Order, the European head-quarters of which appear to have been temporarily established at Venice; and all his leisure time he, as a Prince of the Empire, employed in assisting the Emperor in his various troubles and difficulties.

From such evils Frederic was, however, for the moment, tolerably free, seeming to have really won the heart of the stern and upright, though irascible and easily-prejudiced Pope. Gregory now despatched letters to the Lombards, informing them that he had pleaded their cause, and obtained the extension of the amnesty to them, altogether effecting much in their behalf with the Emperor; and that, having thus essentially served them, he should hence-forward consider every injury done to the Emperor as a personal offence to himself, to be visited with spiritual chastisement. Frederic, on his part, joyfully announced to all Christendom the glad tidings of his readmission into the bosom of the Church, and perfect friendship with the Holy Father. And of his own friendship he proved the sincerity, by taking upon himself the office of mediator between the expelled pontiff and the Romans, whom he persuaded to receive Gregory back, and submit anew to his lawful authority.

Frederic devoted the interval—well must he have fore-seen that it could not be more—of tranquillity and leisure afforded him by this reconciliation, to the administration of his several realms. He appointed a Diet to be held at Ravenna, in November, 1231, to which he summoned his son Henry (with whose conduct his dissatisfaction was increasing), and the German princes, as well as the Italian vassals and deputies of cities. And now Gregory repaid Frederic's interposition with the Romans, in kind. Not trusting in the efficiency of his recent admonition to the Lombard League, he again addressed epistles to its Rectors, forbidding them, under pain of his highest displeasure, to obstruct the passage of the German members of the Diet, whose presence was indispensable to the settlement of the

affairs of the Empire.(199) But to Milan, the motive spirit of the League, the Pope was merely a useful ally, neither the revered head of her religion, nor the beloved leader of her party; her policy was merely anti-imperialist, and a large proportion of her people were heretics, though some of the cities under her control strove to satisfy the Pope, by burning dissenters from the orthodox faith. The Emperor being now again in Italy, the master passion of Milan revived, superseding every other sentiment; and, as usual, she was imitated by all her friends and dependents. Lombard feuds were suspended; as before, an actual certainty was professed that, under colour of convoking a Diet, the Emperor was bringing down German armies upon Italy, to enslave the peninsula; to wrest from the cities all the rights and liberties secured to them by the treaty of Constance, and crush them under the weight of his despotism. All the forces of the League were assembled, and again were the Alpine passes, this time in open defiance of the Pope's commands, strongly occupied.

Frederic's probable views and purposes in regard to the Lombard League have been already discussed, and the present occasion seems to call for no farther remark; save that every revolving year might add a sting to the monarch's conscience for continuously neglecting the monarchial duty of inforcing the observance of peace and good order amongst his subjects or vassals. That he had no present intention of attempting to perform this duty, may be inferred from his repairing to Ravenna without troops, without even an escort beyond his usual courtly attendants; whilst the German princes, who, had they united their vassals in martial array, could surely have forced the passage of the mountains, again obeying their Emperor's peaceful call separately, were for the most part driven back, and returned home, unintentionally disobedient. Amongst these was King Henry; a few only of the more zealous, or more active, found means, slipping through, to reach Ravenna.

As the few Italian Ghibelines who attended, with the still fewer Germans, were insufficient to achieve any material object, the indignant Emperor adjourned the Diet until tranquillity should be re-established. For the moment,

he merely, in concert with the members present, laid the offending cities under the ban of the Empire, and forbade those still professing loyalty to their Sovereign, to select their Podestàs from amongst the natives of those, lying under this sentence. Before quitting Ravenna, he is said to have won the hearts of the inhabitants, by the gift of some of his Oriental acquisitions, namely, of an elephant, a couple of camels, a couple of lions, and a couple of leopards.

But not in as pacific guise as he had entered did he quit Ravenna. Genoa, if taking no part in the obstruction of the passes, had already selected a Milanese as her Podestà for the following year; and remonstrance was unavailing, to obtain the revocation of the appointment. The Genoese asserted that such an act would be an irremissible breach of their laws; and pertinaciously installed the now avowed rebel in his office. Frederic resolved to chastise the vassal republic, and summoning to his standard the Ghibelines within easy reach, proceeded to attack the Genoese territories. Hostilities ensued; but proved too injurious to the commerce of both parties,—Frederic II entertaining an unfeudal regard for the mercantile class of his subjects—to be long persevered in, and peace was in a short time restored.

In all these transactions Gregory cordially co-operated with his reconciled spiritual son.

CHAPTER V.

FREDERIC II.

Frederic's Legislation for the Sicilies—And Administration—Gregory's Dissatisfaction — Neapolitan University — Frederic's Liberality. [1231.

FREDERIC II looked, beyond the mere exigencies and interests of the moment, to the permanent welfare of the nations committed to his charge; and to this he saw that constitutional reform, that is to say (constitutional reform not being a mediæval idea), various essential improvements, in the shape of fundamental alterations of their laws and institutions, were necessary. For this perception of enlightened statesmanship, he may have been partly indebted to the impulse, which the favours, marking Frederic Barbarossa's satisfaction with the doctrines taught at Bologna touching imperial rights, had given to the study of Roman or civil law. His own value for the science has been seen; and he early followed his grandfather's example in favouring both its professors and their disciples; sedulously promoted the study at his own University; and from amongst the most distinguished jurists, teachers, or disciples, selected his ministers and counsellors.

The most confidential of these ministers, one who may almost be called the Emperor's favourite companion, as well as minister, was Pietro delle Vigne, another of the remarkable men of the age. Pietro delle Vigne was a Capuan, born in the humblest station—from his name his family may be conjectured to have been vinedressers—with a consciousness of intellectual powers naturally awakening lawful ambitious aspiration. He studied, as a

pauper, at the University of Bologna; maintained himself there, according to report, nearly, if not wholly, by mendicancy, whilst early acquiring such reputation, by his proficiency in general science, and more especially in Civil Law, as attracted the notice of Frederic. The wisely liberal monarch first supplied him with means of subsistence, thus to facilitate the completion of his course of study; and then took him into his own service. He began by placing him in inferior judicial offices; and, as he found him equal to posts of more trust and importance, gradually, if rapidly, advanced him, until in the end the Pauper Student was, *Gran Giudice* or *Giudice della Gran Corte* (Grand-Judge, or presiding Judge of the Supreme Court), and perhaps Grand-Chancellor,(200) of Sicily, Protonotario, and, in the king's absence, Lieutenant or Viceroy of both Sicilies.

A mind of great natural powers like Frederic's, would be led by such companionship, superadded to the circumstances of his own position and the condition of his very dissimilar kingdoms, to philosophize upon government and legislation. And could an able man, who ever thought upon such subjects, fail to be painfully struck, when again in his southern realms, by the legal confusion and consequent disorders, unobserved by the boy, who, at seventeen, left them, to struggle for Germany and the Empire. In Apulia, Frederic now saw the different and often conflicting laws of Greeks, Romans, Ostrogoths, Lombards, Saracens, Normans, Jews, and the papal Canon law, all coexisting; every man living under the law of the race from which he descended, or, if he chanced to dislike his hereditary code, under any other at his choice. In Sicily, he saw a legal condition, only in so far less chaotic, that the island, never having been conquered by the Ostrogoths or the Lombards, had escaped two of the various codes, inflicted upon the continental provinces. The Emperor, upon his return from Germany, noticing these glaring evils, seems to have early resolved upon having the legal chaos examined, developed, sifted, and methodized; amalgamating what was good of each into one homogeneous, well-ordered whole, abrogating what was either objectionable or contradictory, and adding whatever

was wanting to insure good government, and the prosperity of the country. But the Pope was then vehemently pressing him to begin his crusade; evils, more urgent than those of long standing, must perforce be remedied before the papal injunctions could be obeyed; and the business of legislation was postponed. When his Crusade was over, and his reconciliation with Gregory left him at liberty to attend to the pacific duties of sovereignty, Frederic immediately turned his thoughts to his scheme of philosophic and political legislation.

In concocting, out of the wilderness of materials before him, a code, or rather a constitution—for anachronistic as the word may sound, the system of government as well as of law produced, deserves the name—Frederic evidently had three objects principally in view. The first of these was to emancipate, as far as might be, the royal authority from the controlling power of the great vassals; the second, to protect the lower classes of the population from baronial oppression and official tyranny; the third, to establish the utmost feasible subjection of the clergy to the crown and to the regular tribunals of justice.

It was to Pietro delle Vigne that Frederic committed the execution of this task, in consonance with these views, and under his own immediate superintendence and direction. And arduous was the task of conceiving the ideal at which he aimed, of excluding, extracting, adapting, improving, arranging, and modifying, existing institutions, according to that ideal, into such administrative organization, as should raise the condition of his native country. The result was a species of Magna Charta spontaneously given, which — though the Angevine monarchs repealed some of its provisions, closing their eyes to the non-observance of others—remained the law of the land as long as Hispano-Austrian sovereigns ruled it; and even under the Bourbon sceptre, save as, again, some of its provisions either were specifically altered, or became obsolete through the gradual changes wrought by progressive civilization.

In August, 1231, the result was published in Greek as well as in Latin; a remarkable testimony to the degree in which the old Hellenic colony, Magna Græcia, still cherished traditions and recollections of Hellenic pride and

patriotism. The new code was headed by an introduction, probably Frederic's own composition, and if not, certainly suggested and approved by him. As such, partly translated and partly compressed, this introduction may here find its place. Beginning, according to the fashion of the day, with the Creation, the writer goes on to speak of—"Man, the noblest of created beings, whom God, having formed after his own image, but little lower than the angels, of deliberate counsel, set over all other creatures; whom, having taken out of the slime of the earth he quickened in spirit and crowned with a diadem of glory; to whom he gave, as a companion, a wife, part of his own body, adorning and guarding them with such prerogatives that both were originally made immortal, though under the law of one command, which, when they despised steadily to observe, in pain of their transgression, from all that had previously been conferred upon them he sequestered immortality." But, lest the whole of Creation should, in the destruction of man, become useless,—"God, from the seed of these two, rendered the earth, which he subjected to them, fruitful in human beings; who, the sin of their parents' trangression being propagated in them, conceived reciprocal hatreds, and divided that dominion over all things, which by the law of nature they held in common. Then man, whom God created upright and guileless, did not hesitate to involve himself in quarrels. Thus, the necessity of the case, and, not less, the impulse of divine Providence, urging, were princes of the nations created, by whom the licence of crime might be coerced: who, arbiters of life and death to the nations, and in some sort ministers of the divine purpose, should assign to every one his proper fortune, lot, and condition, that they may be able to give a good account of the whole, as of a stewardship committed to them. By the King of Kings and Prince of Princes most especially, is it required, that they suffer not the most Holy Roman Church, the mother of the Christian Religion, to be defiled by the secret treasons of the detractors from the Faith, and that they defend her against the assaults of public enemies, with the power of the material sword; thus, to the utmost of their ability, maintaining Peace to the nations, and to the peace-

ful Justice; so that these two, which are as sisters, may mutually embrace. * * * We, therefore, exalted solely by the right hand of divine power, beyond all human hope, to the throne of the Roman Empire and of other realms, purposing to return doubled the talent intrusted to us, to the living God, in all reverence of Jesus Christ, from whom we have received all that we possess, by cultivating justice and establishing laws, prepare to sacrifice the firstling of our lips, beginning with provision for that part of our dominions, which is discerned to stand most in need of justice!"(201)

The Idea, which Frederic—whom even the republican modern Neapolitan historian, Coletta, calls "the miracle of his age"—had conceived, evidently was to substitute for the evils that had grown out of the feudal system, the institutions of a well-organized monarchy; with restrictions, not indeed upon the royal authority, but upon the abusive exercise of that authority, by the subordinate officers to whom it must perforce be delegated, to the injury of king and subject. For realizing this conception his means were twofold; viz., first, the abolition of all jurisdiction except that of the regular royal tribunals; or, where such abolition was impracticable, the utmost limitation feasible of the jurisdiction of any private tribunals that he was compelled to leave, and their complete subordination to the royal tribunals: secondly, the maintenance of an army unconnected with feudal service, dependent upon, and obedient to, the monarch alone. This Idea is the moving principle of his whole reign, as well in his casual legislation and in his administration, as in this Code.

In order to attain the first of these two great objects, Frederic, by his new code, required, from all the great vassals, proofs, satisfactory to a legal tribunal, of their right to exercise judicial authority; and in this investigation, a simple grant of such jurisdiction was treated as a mere personal *beneficium*, not heritable, unless expressly stated to be so. Those, who could produce only such simple grants to ancestors, or none, were, by the appointed tribunals, at once deprived of all jurisdiction. Those who clearly established their right to administer justice, were

left in possession of the right, but not without restrictions; they were prohibited from acting as sole judges in their respective Courts, in causes in which they might have a personal interest; they were ordered to be always assisted by a royal judge, and their proceedings were henceforth to be regulated according to the uniform laws of the kingdom, as established by the new Code. A right of appeal was likewise given, in all cases, and from every private tribunal, to the highest public tribunal in the kingdom, the *Gran Corte*, or the sovereign's own Court of Justice. These restrictions applied, of course, equally to the tribunals of noblemen and to the municipal tribunals of chartered cities; and this limitation of jurisdiction was the only positively innovating encroachment upon the feudal privileges of the nobility. The prohibition of self-redress by private warfare, was merely the inforcement of laws repeatedly published—whether obeyed or not—by Frederic's predecessors. And the additional prohibitions, —as means to this end—such as, *e.g.*, to wear arms, except upon a journey, when they might be indispensable to personal security, and to build new fortified castles, together with the injunction to demolish all built or fortified since the reign of William II, that is to say during a period of usurpation and civil war, were, in fact, mere developments of, or corollaries from, the old law against private warfare. The prohibition to great vassals and their children to marry without the consent of their liege lord the King, was merely the retention of an old feudal law, somewhat modified and restricted, as were the regulations touching the guardianship of noble minors and their property.

The grand change was, the permission to commute the burthen of military service, and all other feudal obligations, including casual pecuniary extortions, under whatever name, in short all services and contributions of all descriptions, for the annual payment of a definite sum of money; and this was an innovation very acceptable to the whole body of the nobility. That the uncertain services and contributions due by villeins to their Lords were, in like manner, regulated by law, and the commutation of them, especially of those most derogatory to the dignity

of human nature,(202) for an annual money payment was authorized, encouraged, and, as far as possible, enjoined by the code, might be less agreeable to that haughty order; but must have been felt as the inevitable carrying out of the scheme by which relief was given to themselves. Moreover, that very relief, together with the progress of luxury, was teaching the feudal lords that money, if less flattering to their pride than their arbitrary power over their villeins, was in many ways more useful. There was, besides, a sort of fashion, even in such matters. The Abbot of Montecassino had set the example of allowing such commutation; and, the Emperor-King had set one of a sacrifice to progressive civilization and humanity, so much greater, that only after the lapse of ages could he hope it should be followed. He had enfranchised all the villeins upon the crown lands, converting them into free, rent-paying peasants.

If, despite all these considerations, despite the benefit to themselves, there were still something antipathetic to the feudal nobles in these changes, Frederic sought, by meeting their wishes in another direction, to reconcile them to innovations, which he was confident must be advantageous to the kingdom at large, and ultimately to themselves, however they might for the moment personally find them disagreeable. The code extended the right of inheritance, in all fiefs, to daughters, and to collaterals, as far as the third degree of consanguinity. This concession, which was received with grateful delight, sacrificed the advantage derived by the crown from lapsed fiefs; but not to an accumulation of fiefs and domains, and only in part to the commutation of services, did Frederic look for the means of upholding his authority, by paying his future army. An organized system of taxation, of which he had perhaps caught the idea from his philosophic Moslem friends, was to be his resource. But the account of his institutions for the administration of justice is not yet completed.

For thus superseding the old feudal jurisdiction, a judicial hierarchy—to adopt the here peculiarly appropriate, familiar, modern generalization, of an originally and etymologically specific designation—was established,

rising in regular gradation from the village magistrate, through district and provincial judges, to the *Gran-Giudice*. Each judge was controlled in his tribunal by a Council of Assessors, answering to the German *Schöffen*. The tribunal of the Grand-Judge, who, in like manner, had his assessors, was the Gran Corte, to which, as before said, appeals lay from every other tribunal, public and private, in the kingdom; and its decision was final. All judicial labours had hitherto been remunerated by proportionate shares of fines and forfeitures; the judges deriving more profit, it is to be feared, from the presents of those who sought undue favour for themselves or their friends, than from these lawful sources. Frederic began by very strictly regulating these proportionate remunerations; as strictly forbidding salaried judges to receive them; and finally, he assigned to every one of his new judges, from the highest to the lowest, a fixed salary, regulated in amount by station in the judicial scale; after which the acceptance of a present, upon any pretence whatever, was held a crime.(203) Moreover, as a security against partial verdicts, influenced by kindred, connexion, or friendship, all provincial and inferior judges were subjected to restrictions and privations, analogous to, if not quite as rigid, as those habitually imposed upon Podestàs.

But, lest the gratuitous administration of justice, consequent upon his provisions for impartiality, should foster a spirit of litigation, or the indulgence of private rancour, in the form of calumnious accusations, the Code required, in civil cases, the payment into Court of a sum of money equivalent to the subject in question; in criminal cases, condemned the accuser, who failed to make good his accusation, to severe punishment, often to the penalties which he had endeavoured to bring upon the innocent. On the other hand, lest fear of the consequences of an insufficiently proved accusation should deter prosecutors, and as a spur to the repression of crime by the pursuit of criminals, a heavy fine was imposed upon every district in which a murder was committed, and the murderer remained undetected;(204) the fine varying in amount, according, not only to the rank of the murdered and his old *wehrgeld* or price of blood, but also to the religion of the

district thus negligent of its duty; Christians, inasmuch as good conduct was peculiarly incumbent upon them, being more heavily mulcted than Jews or Saracens.

The laws, to be administered by this series of judges, were, it must be confessed, sanguinary, to a degree that seems little consonant with the legislator's character. But—besides the necessity of affording some gratification to the injured party, by way of vent to those vindictive feelings, which were debarred their accustomed indulgence in self-redress—that everywhere the spirit of Draco has preceded Solon's in legislation, is no new remark;(205) and the Draconic age was not yet over, perhaps not even for Frederic himself. But he very rarely enhanced the severity of the laws he found established; when he did, it was for the protection of the weak against the strong. The mere unsuccessful attempt to rob a peasant of his cattle, he punished with infamy, and damages to the amount of fourfold the value of the cattle. Death was the penalty of all outrages to female chastity, of the plunder or ill usage of shipwrecked mariners, and of heresy:—the last conceded increase of severity, designed probably to repay the then professed goodwill of the Pope and to earn its continuance. And with respect to the practical observance of this, to modern feelings, revoltingly atrocious law, it may here be stated, though pertaining rather to the tone of Frederic's government than to his Code, that he steadily refused to let heresy be dealt with, in his dominions, by inquisitors of the Pope's appointment, whether Dominicans or others. He really kept the treatment of heretics in his own hand; always committing the inquiry to prelates of his own selection; whose duty, when they found heretics meriting, in their opinion, secular punishment, was to make their report to himself. In fact, little inquisitorial severity could there well be, in a country where Mohammedans and Jews formed a considerable part of the population—the latter encouraged to settle there by Innocent III—whilst of the Christians, a large proportion belonged to the Greek Church.

Legal investigation by the examination of witnesses, and by compurgators, or persons who swore that they believed the oath of the party for whom they appeared, were

imperatively substituted for all descriptions of ordeals, which Innocent III and his Lateran Council had vainly endeavoured to suppress, though they had every materially checked the recurrence to those forms. Wholly abolished, indeed, they still were not; but the code positively restricted the use to charges of high treason and murder, in which the presumption of guilt should be exceedingly strong, and the evidence deficient; whilst, as a guard against collusion, and perhaps upon the making a trade of championship for wager of battle or other ordeal, a defeated substitute champion was to suffer the same doom as the criminal, convicted by his defeat. The use of torture was in like manner very much restricted, though not abolished. The value of evidence was still estimated in the true spirit of feudalism, or of the earlier wehrgeld system, of the price of blood; the oath of one earl being held equal to those of two barons, of four knights, of eight burgesses, and of sixteen peasants, or other freemen of the lowest grade. The oaths of villeins were not admissible against freemen.

For the collection and administration of the public revenue,—the old royalties, the regular annual payments in commutation of feudal services, and any taxes or duties, the imposition of which unavoidable public expenses might render necessary—a fiscal hierarchy, analogous to the judicial, was organized. A series of officials, beginning with those to whose care village tolls and dues were committed, ascended through several grades of local and provincial officers, to the Grand-Chamberlain, *alias* Lord Treasurer, who had a sort of board of auditors for the examination of accounts. This class of officials was likewise charged, in their respective districts, with duties that would now belong to the police. To them were assigned the investigation and punishment of theft, and of all offences not incurring mutilation,(206) with the adjudication of trivial disputes; it was their business to prevent the sale of unwholesome food, or the employment of false weights and measures; to inforce the observance of all sumptuary laws, and to regulate the wages of labour. Civil suits, except those relative to fiefs, were likewise referred to their tribunal, the time and attention of the

magistracy being required for criminal cases, as of higher importance and dignity. Or possibly—the remark has already been called for, that the duties of different departments of government were not in early times so clearly defined, and the departments accordingly separated, as at the present day—disputes about pecuniary transactions may have been thought best understood by, and therefore best referred to, financiers. Moreover, Frederic evidently avoided unnecessary multiplication of offices, or at least of officials; which may have led to assigning to one and the same individual the duties of more than one post, now deemed each amply to occupy one man's time. Appeal from these functionaries lay, through their respective superiors, to the Grand-Chamberlain; and in the discharge of their several duties they, like the magistrates, were aided and controlled by a Council of Assessors.

The crown lands were judged, governed, and managed by an entirely distinct set of officers, judicial, fiscal, and agricultural, under the supreme superintendence of the Grand-Seneschal, whose duties appear to have combined those of a modern English Board of Woods and Forests, with those of Lord Steward of the Household, and some of the Lord Chamberlain's. But the smaller extent of these domains requiring far less official superintendence than the realm at large, the duties of the several departments were still less definitely distinguished than in the case of the state judges and financiers. Upon small domains, one individual, of course with his Council of Assessors, is often found acting simultaneously as judge, financier, and steward or bailiff. But no mark of indifference or negligence on the part of the Emperor-King, was this. Portions of these crown lands were let to tenants, as part, it may be presumed, of Frederic's system of abolishing villenage by converting villeins into free, rent-paying, peasants. But this plan was then only beginning to be introduced, and documents still exist, shewing that, to the economical and beneficial management of the unlet crown domains, —the far larger part—Frederic devoted as much and as minute attention, as did the great prototype of the Swabian Emperors, Charlemagne. These documents are, his letters to the officers in charge of the domains, dated from

all parts of his widely-spread dominions, and at epochs, when his mind might be supposed engrossed and harassed by weightier, as well as more urgent anxieties. They are replete, nevertheless, with circumstantial directions touching the cultivation of the fields, the planting, preserving, and felling of the woods, the care of the young stock, and other ordinary details of rural business.

The selection of the assessors, in all departments, was regulated with great care. In the first place, only freemen, born in lawful wedlock, were capable of the office—the sons of priests were specifically excluded, although, as a concession probably to the Greek Church, some degree of legitimacy, and a share of their father's property, was allowed the children of priests;—these assessors were, further, to be well educated and of irreproachable conduct. They appear to have been popularly elected, but subject, in the higher grades, to the royal approbation; in the lower, to that of the immediately superior authorities. Frederic is said to have rejected, for deficient education, a wealthy merchant of Salerno, there elected an assessor, and otherwise unobjectionable. To each little Council of Assessors was attached a notary, or secretary; and to insure his independence of his masters, he was appointed by the King in person, and retained his post for life, unless judicially convicted of malpractices.

Every individual, in this carefully organized system of administration, was bound annually to deliver to his immediate superior a report, concerning all persons in authority under himself, containing their names, offices, salaries, general conduct, and the amount of business transacted by each during the year. The reports were transmitted from inferior to superior, until they reached the Heads of the several offices, the Grand-Judge or Grand-Chancellor, the Grand-Chamberlain, and the Grand-Seneschal. Each of these great officers was, similarly, bound annually to deliver to the monarch a report, faithfully and diligently abstracted from those of his subordinates; every one of whom was held responsible in person and property, for his official conduct.

These were material, and, at that epoch, extraordinary steps towards remodelling the government and neutralizing

all that was noxious in feudalism. But their real importance lay in their consequences, which were not apparent to the haughty nobility, and if not quite palatable, they provoked no resistance. The next class of reforms was perhaps alike welcome to the great vassals and offensive to the Pope.

The Emperor-King had never heartily recognised, as valid, the cession of sovereign authority over the clergy, that had been extorted from his anxious, dying mother. In his new Code, he ventured to regulate by law, and, as far as prudence allowed, to restrict, the power, which, upon the strength of her concessions, the priesthood had assumed in the Sicilies. The check placed upon the accumulation of landed property in ecclesiastical hands has been mentioned; as also the recognition of the exemption of old Church lands from taxation. Frederic now first subjected the royal domains to the payment of tithes; and legally confirmed his renunciation of the old royal claim to the revenue of vacant sees and benefices; directing such revenues to be administered by three upright ecclesiastics, chosen for the purpose, who should defray all necessary charges, and pay over the balance to the new prelate or incumbent, when elected or appointed. But, on the other hand, bishops were commanded to allot one third of the tithes to the maintenance, repairs, and other expenses of the churches and chapels in their diocese, including the building of new, when and where wanted.(207)

With respect to the other pretensions of the clergy, the Code did not deny their claim to exemption from lay jurisdiction, civil or criminal, and, in matters purely spiritual, allowed appeals to the Pope. But it limited ecclesiastical jurisdiction over the laity to matrimonial suits, breaches of the nuptial vow included; the sacramental character of marriage in the Roman Catholic Church, properly bringing questions, thereto belonging, within the competence of ecclesiastical tribunals. Disputes and differences among church vassals were left to ecclesiastical tribunals; but suits between clerks or church vassals and laymen, and capital offences of priests, other than purely spiritual sins, or canon law crimes, the tribunals of the State were authorized to investigate and to judge. Prelates, in their

capacity of Barons, or immediate vassals, sat in the Court of ultimate appeal, the Gran Corte.

But to the historical student, the most remarkable of Frederic's institutions is one devised by him and his fellow-labourer in legislation, simply as a curb upon those to whom the actual administration of the sovereign authority must needs be delegated, and a positive protection to the governed against subaltern oppression or injustice. Yet might the institution, designed for nothing more, had pontifical enmity and an usurper's desire to obliterate all traces of the legitimate royal race not caused its virtual abrogation by desuetude, have proved the germ of a genuine constitutional monarchy; and, by its gradual development, have tempered down hot southern blood to the capacity of enjoying liberty, protected by good order.

According to the Code, twice in every year, at five several cities, were to be held separate assemblies; each presided by a royally appointed deputy, and composed, not only of all the prelates and nobles in the district, but also, of burgesses from every city, town, and village therein, not being the actual property of some prelate or baron. These burgesses were to be popularly elected, to the number of four for each city, two for each town, and one for each smaller place.(208) At these assemblies, all official persons employed throughout the district were bound to attend, and every individual noble, prelate, or citizen was invited to denounce any act of oppression, injustice, or other, even the smallest, wrong, committed by any one of them. The accusation was immediately investigated, and, if of little moment, at once redressed by the provincial authorities; if important, referred to the King. The other business of these assemblies seems to have been the remedying local evils and inconveniences, when trifling or easily relieved; suggesting the remedy for the consideration of the King and his Council, when the affair was more serious; and voting any duties, contributions, or subsidies, that the pressure of public affairs might render necessary,—which they afterwards assessed amongst the different divisions of the district. The session lasted from a week to a fortnight, according to the amount of business brought forward, and,

at its close, each assembly transmitted a detailed report of its proceedings to the King.

These separate meetings of Provincial Estates, with a very limited sphere of action, though somewhat akin to the *Land Stände* that, in divers German states, gradually superseded provincial diets, certainly bore little resemblance to an English parliament or the Spanish *Cortes*. But the very idea of an assembly, composed in part of representatives of citizens, the very admission of non-noble laity to any participation whatever in administrative concerns, is a very striking feature of Frederic II's legislation, and would, probably, have increased in importance with the progress of civilization and the dissemination of knowledge. When Frederick II thus admitted deputed citizens and villagers to deliberate and vote with nobles, such favour to even the former was known only in Spain and Portugal—in Germany, Frederic I, if he summoned city deputies to the Diet, gave them no vote:(209)—and not till some years later did the Commons of England, according to the best authorities, take their place in Parliament. Yet are the Emperors of the Swabian dynasty accused of a hyper-feudal contempt, if not hatred for towns, citizens, and trade. In truth they merely desired to prevent a member of the Empire from severing itself from the body.(210)

And a tendency, towards such aspirations after independence, Frederic had to guard against, even in his southern kingdom; where a few of the most flourishing cities, governed by their old municipal institutions, were disposed to sympathize with their Lombard sisters. Palermo, Messina, Naples, Amalfi, &c., looked upon that obtrusion of a royal officer and an uniform code of laws upon all feudal tribunals, which had so prodigiously improved the condition of the towns dependent upon mesne lords, spiritual or temporal, as an invasion of their rights and privileges; resenting it accordingly. But Frederic was abundantly warned against civic ambition; and, whilst he confirmed, to all immediate cities, their chartered rights, modified, and occasionally somewhat abridged, he everywhere reserved to himself the nomination of the chief magistrate, whether Consul, Rector, or Podestà. If thus, limiting their power, he mortified their pride, as a coun-

terpoise he most paternally studied to foster their material interests. He encouraged manufacturing industry, abolished whatever trammelled internal commerce, and established great fairs, to be annually held in seven chief towns, from April to October, both inclusive. Acting upon the then original and startling opinion, that to be really beneficial, trade must he equally advantageous to both parties, he removed nearly all restrictions upon traffic with foreign countries. He new-modelled the tolls and duties so as to render them, even when unavoidably increased, less onerous, because less inconvenient, and he cancelled, as far as was consistent with justice, the grants of such tolls, &c. to individuals, so lavishly made during his minority. Of the duties long before imposed upon the exportation of agricultural produce and of manufactured goods, he mostly reduced those which he did not suppress.

The exceptions to this veritable system of free trade were few. Whilst the exportation of corn was unrestricted, that of horses and of rams was absolutely prohibited; the object evidently being to preserve to Apulia and Sicily the possession—exclusive if possible—of a superior breed of both; of the first, upon military considerations, of the second, for the sake of the woollen manufacture. He retained the monopoly of salt, which, as the complement of the royalty of all mines and springs producing the article, seems to have been then generally claimed by European sovereigns. But this was rendered little oppressive, being without compulsory purchases, like those enjoined by the French *gabelle*, and the only restraint upon wholesale purchasers, an injunction to retail the salt in the district in which it was bought: a regulation deemed indispensable to the prevention of smuggling. The prescriptive royal right of preemption, at a fixed price, of a certain proportion of the corn harvested, to be afterwards sold, profitably for the royal holder, at the Grand-Chamberlain's office, seems rather a sort of land-tax paid in kind, than a monopoly. It interfered not with the owner's disposal of the principal part of his produce, whilst it might, in years of scarcity, afford some provision against famine: when years of unusual abundance enabled or

obliged the farmer not only to undersell the treasury, but to take a yet lower price than the King had paid him, the farmer was the gainer and the royal exchequer would, but for its power of holding over to await higher prices, be a loser by its forestalling and regrating. Upon one such occasion the Grand-Chamberlain complained to Frederic of this loss, which he proposed to remedy by a second authoritative purchase of a larger quantity, at a price covering an adequate reduction at the royal granaries. The Emperor rejected the idea, saying: "Kings are not to care solely for their own interests; but, likewise, for those of their faithful lieges. Their main study should be to have affluent subjects, whose property may increase and improve under their happy reign; for the fame of the sovereign rests upon the secure and prosperous condition of his people."(211)

Another restrictive law, if to be so called, related to the Jews. The Moslem African monarchs were at this epoch persecuting the Hebrew race in order to convert them to Islam; and the persecuted were in consequence flying from Africa. The proximity of Sicily, rendered that island an attractive refuge; and Frederic made it an indispensable condition of their admittance there as settlers, that they should devote themselves to agriculture. An unusual occupation for those who, save in Judea, can be but sojourners in the land. He probably wished to supply the place of the transplanted agricultural Saracens.

The laws against piracy were severe; and the Code added stringency to his earlier prohibition of wrecking, further regulating salvage, *i. e.*, the price to be paid by owners, or their heirs, for articles saved from a wreck. So earnest was Frederic in this protection of shipwrecked sailors, that he introduced into his treaties with foreign states a mutual renunciation of the right of wrecking, as regarded ships owned by subjects of the contracting powers; and in those with Moslem princes, another for the mutual restitution of slaves and booty taken from their respective subjects, and brought in by pirates. He appears to have, in some measure, purchased consent to this last condition, by exempting, as Emperor, the Mohammedans in Corsica

from Christian jurisdiction, permitting them to be governed by a Moslem magistrate, whom he should himself appoint.

All that need be added in respect to the embodying of Frederic's views, legislative and political, in this Code, is that it more distinctly defined and regulated the several departments of the great officers of state, than had been thought requisite by King Roger at their institution: and a few points relative to this matter may be worth noting. With regard to the Grand-Constable—even the great vassals, although at home and in peace entirely exempt from his authority, were, in the field, expected to obey his orders as implicitly as the King's; he being held there to represent the royal person: one reason, perhaps, for the willingness of those haughty barons to commute their military service for a money payment. The Grand-Constable would be quite as well pleased to turn his cares from these refractory would-be independent troops, to the non-feudal army, to which his master looked for the support of his sovereignty. The sources, whence Frederic was to derive funds for the pay of such an army, have appeared in the account of his legislative and administrative measures. Abundant materials for its formation he saw in his Saracen subjects, in his emancipated peasantry, and even in the active, enterprising youth of his cities, who, like their Lombard contemporaries, might naturally fancy a few years of stirring life and military adventure, prior to sobering down into orderly citizens and mechanics. And so freely did all these classes answer to his expectations, that, in lieu of tempting to enlist, it was found expedient to prohibit the admission of any one who could not show a warrior amongst his forefathers.(212) The mercenary bands, ready to fight for whoever would hire them, were, when engaged, subjected to the control of the Grand-Constable.

The department of the Grand-Admiral combined those of the modern English Board of Admiralty, Navy Board, and Paymaster of the Navy, with the command of the fleet at sea. The several businesses of building, equipping, manning, and provisioning the ships, were all feudal services (to be performed under the Grand-Admiral's

directions and superintendence) save when commuted, like the others, for a money payment; which change might facilitate the Grand-Admiral's operations, by giving him more docile shipwrights, ship-purveyors, &c., as well as crews. But it involved him in disputes with—strange to modern ideas—the Grand-Chamberlain, who claimed a control over all money to be paid, possibly over all expenses to be incurred. And this claim he might the rather advance, because Frederic's fleets, first provided for the fifth Crusade, were throughout his reign less frequently employed in warlike operations, except against pirates, than in assisting mercantile enterprise and transporting crusaders to the theatre of their vowed duties.

The department of the Grand-Chancellor had been encroached upon, some writers say, by King Roger himself, but according to most authorities, by one of the Williams, who created a Grand-Judge, with authority inferior indeed to the Chancellor's, but of which he omitted to define the precise character and limits. The Grand-Chancellor, who held the Great Seal of the kingdom, was said to be at the head of the adminstration of justice; yet the Grand-Judge is found holding a separate seal, called the judicial seal, and presiding over the highest tribunal in the land, the Gran Corte. The Grand-Judge was apparently charged with the primary examination of the mass of reports from subordinate officers, with the sorting and referring them to the heads of the several offices, to which they respectively appertained; as, appeals in civil and criminal suits, to the tribunals appointed to decide them; fiscal reports and all administrative affairs, to the Grand-Chamberlain; petitions and all matters of grace and favour, to the Protonotario, when he acted as private Secretary, or to the private Secretary, when there was such a distinct officer. The Grand-Judge was likewise charged with the examination of all charters and bye-laws of cities, and the final decision upon the validity of the former, the admissibility or inadmissibility of the latter; and in his own especial court he was, *ex officio*, the advocate of every pauper suitor, whether prosecutor or prisoner. From all this might be inferred, that the practical duties were mostly assigned to the Grand-Judge,

whilst the Grand-Chancellor was more engaged with the legislative department and the general government, exercising merely a sort of superintendence over what may be termed the judicial executive. But whatever his duties as Grand-Judge, it was as Protonotario that Pietro delle Vigne became really Prime Minister of the Sicilies. The Protonotario—originally a private Secretary, selected from among the notaries, *i. e.*, clerks in the Chancellor's office, to assist the royal Chaplain, and spare him trouble—from his opportunities of constant, easy intercourse, with the King, and the necessarily confidential nature of his employment, was soon enabled so to interfere with all departments, that he became really Secretary of State, and the Grand-Chancellor's rival for the virtual premiership.

That the publication of this Code displeased Gregory, need hardly be said. The restrictions upon ecclesiastical jurisdiction, upon ecclesiastical privileges and exemptions, could not appear to him other than impious invasions of Church rights. But this was not his sole ground of dissatisfaction. Gregory saw in the very promulgation of such a national code, an infringement of the papal system, which considers all Christendom as one spiritual monarchy, to be ruled by one Code, that of the Church. To a few additional laws for different states he had no objection, regarding them, perhaps, as the bye-laws of corporations are regarded in well-ordered kingdoms; but the systematic, national character of Frederic's Code, was an alarming symptom of spiritual revolt. For the present, however, he did not quarrel with the Emperor, but quietly prepared to combat him with equal arms. He commissioned one of his chaplains, Raimondo de Peñaforte, a Catalan, to revise, remodel, and improve the collection of Canons of the Church, known by the name of DECRETALS, adding Gregory's own decisions to those of his predecessors.

So much of the general tenor of Frederic's government has unavoidably become interwoven with the account of his Code, that one or two points relative thereto, which seem to have no specially appropriate place, may as well be introduced here. The one, is his reform of the greatly debased and depreciated coin of his southern kingdom.

This measure—offering a strong contrast to the conduct of other mediæval sovereigns, who, when straitened for money, frequently sought relief in lowering the intrinsic value of their coin—is said to have much conduced to the realm's prosperity, agricultural, manufacturing, and commercial. Nor was this the only advantageous result. Combined with the Emperor-King's punctuality in all pecuniary transactions, it so established his credit, that, upon one occasion, his resources being nearly exhausted, he was enabled to pass pieces of stamped leather for coin of any value that he chose to assign them; a species of paper currency—may it be called?—perhaps the first known. But the reform, thus beneficial in its effects (so little were the statistic and economic details, that now supersede higher considerations, then thought of), is chiefly noticed by old historians for the beauty of the gold coin, as though pertaining rather to the monarch's patronage of the arts than to his polity. This coin, called an *Augustale*, or *Agostare*,(213) containing ninety grains of pure gold, might, in current value, be worth about thirteen shillings,(213*) and was of beauty previously unexampled, as it remained, for centuries, unrivalled. The die was prepared by Nicoló Pisano, celebrated as one of the early resuscitators of the, reputed defunct, Fine Arts, Frederic's architect, engineer, and sculptor, of whom more hereafter. The *Augustale* bore, on one side, Frederic's head, with the words, "Cæsar. Aug. Imp. Rom.," as the encircling legend; on the other, an eagle, with the name, "Fridericus."

Upon his return from Palestine, Frederic found that nothing had suffered more from the war than his newly founded University. It was well nigh annihilated by the total dispersion, whether through force or inclination, of both professors and students, most of them enlisted into the ranks of the one or the other of the contending parties. When peace with the Pope was restored, vigorous were the royal exertions to remedy these evils.

The professors were speedily re-assembled, and Frederic endeavoured to raise the reputation of their body still higher, by offering salaries yet more liberal than before. And earnestly he invited the most admired teachers of various sciences to accept those salaries; whilst retaining

his own preference of Dominicans, notwithstanding their subserviency to Rome, for the chair of civil law. In order to secure pupils to these able instructors, though discovering no mean jealousy of other Universities, he compelled such of his own subjects, as desired education, to study at the Neapolitan University, by forbidding them to frequent those of Paris and Bologna, which had previously been their resort; and by restricting the practice of the medical profession to persons whose sufficiency was attested by a diploma, bearing his own signature or the Grand-Chancellor's; and this was granted only upon a certificate of due qualification, by the prescribed course of study—a course not professional merely, logic, in addition to medical science, being especially required—at the Neapolitan or, for this branch, the Salernitan University.

But Frederic wished to allure as well as to compel students, and to allure foreigners as well as his own subjects. Hence he made laws to protect inexperienced youth from extortion. For instance, the price of lodgings for students was to be fixed, not by bargain between the landlord and the juvenile tenant, but by two respectable citizens and two already domiciliated students; and, with more questionable kindness, he afforded them facilities for borrowing money upon pledges. He assured to foreigners security of life and property—the property of deceased foreigners was then, almost everywhere, confiscated by the state—he exempted the whole body of the University from such confiscation, from military service, from taxation, and from all Apulian jurisdiction except that of the University tribunal, over which an especial Judge presided. In this last point he, indeed, only half followed the examples of his grandfather, Frederic I, and of Philip Augustus; but on his part, even thus much was remarkable, as a deviation from the one uniform system of law and jurisdiction, that he was so sedulously establishing throughout the kingdom. He promised advancement to all students who should deserve it by distinguishing themselves, and ample pecuniary assistance from his private purse to indigent students of marked ability. In proof of his high value for learning and the learned, he, upon the death of one of his able professors, addressed an autograph letter of condolence to the Uni-

versity. And so successful was the Emperor-King in raising the character of his Neapolitan University in Civil Law, that at an early epoch of its existence his Law Professors were the tribunal, appealed to by a party of French nobles, who had projected wresting the regency from Queen Blanche, respecting the legality of their scheme, and to whose verdict of illegallity they at once bowed.

Books for the use of the University, in Latin, Greek, Hebrew, and Arabic, the royal and imperial founder collected from all quarters, with great diligence and regardless of expense; and he caused many works in the last three languages to be translated into Latin. The Latin versions of some of Aristotle's writings were executed by his astrologer, said to have been the wondrous Michael Scott.(214) But the most remarkable fact relative to the University library, is perhaps the extraordinary liberality, taking the word in its largest sense, with which Frederic gave copies of the translations of the works of Aristotle, made at his desire by the best scholars he could engage in his service, to the more than rival, the generally hostile, because intensely Guelph, University of Bologna. The gift was accompanied by a letter, in which the feelings of the man and the monarch far outweigh something of pedantry in the style; a pedantry, moreover, so characterizing the age, that the imperial writer could not possibly escape the infection. Some passages of the letter may suitably end this chapter.

The Emperor says: "Of the exaltation to which laws and arms, working concurrently, raise the regal functions, we hold science a necessary condiment, lest, amidst the sweet and alluring paths of this world, overshadowed by the cloud of ignorance, energy should revel in uncurbed wantonness beyond all lawful bounds; and justice, her laws neglected, languish. Therefore did we, who by the divine bounty preside over nations, in our youth, before we took upon ourself the burthen of government, ever seek both general culture, and the especial enjoyed by few, unceasingly loving its form and inhaling its fragrance. Since we assumed the care of our kingdoms, though the multitude of our laborious affairs often divert our attention, claiming a large share in our solicitude, never have we suffered any part of time that we could withdraw from business of state,

to slip away in idleness, gladly expending it in reading, that the soul might be invigorated by the acquisition of science, without which the life of mortals cannot be generously governed." He next explains that he had thought it good to have the works of Aristotle and other philosophers translated from less known languages into Latin, by chosen scholars, and proceeds: "But forasmuch as the noble possession of the sciences does not perish by dispersion amongst many, suffering no deterioration by the distribution of its parts, but the more widely it is published, the more it is perpetuated, we will not conceal the guerdon of our toil, or deem the possession thereof pleasant, unless we make others participators with ourselves, in so great a good." Then, after complimenting the University upon its learning and its mode of imparting that learning, he proceeds: "You therefore, men who from old cisterns discreetly draw forth new waters, offering the mellifluous streams to thirsty lips, cheerfully receive these books as the gift(215) of your friend the Emperor:" and concludes with a little more compliment.(216)

CHAPTER VI.

FREDERIC II.

Affairs of Palestine—Of Germany—Thuringian Court—St. Elizabeth—Landgraves—Heresy in Germany—King Henry's Conduct—Diet of Aquileia. [1227—1232.

THROUGHOUT the transactions subsequent to the peace of San Germano, as narrated in Chapter IV, Gregory appears to have acted the proper part of the common Father of Christendom, and of the Emperor's paternal friend; co-operating with him in the very region where he had so fiercely and strangely opposed his efforts. Scarcely had Frederic quitted Palestine for Europe, ere, in Cyprus, the Ibelin family disowned the authority of the regency, that he, as acknowledged Regent, had appointed to act for him, during the young monarch's minority. Again they usurped the power which he had compelled them to resign; and, hoping thus to facilitate their usurpation, and, when effected, to strengthen it, they instigated the Queen-dowager, mother of King Henry, to claim the crown of Jerusalem. Alicia, Queen-dowager of Cyprus, being, as may be recollected, the daughter of Isabel, by her third marriage with Henry of Champagne, the grounds upon which she could rest a pretension to be her mother's heir, whilst the posterity of Isabel's eldest daughter still existed, in the person of her grandson, the infant Conrad, are not apparent. But, however glaringly baseless those pretensions, her cause was eagerly embracedby all Palestine malcontents, as well as by all connexions of the Ibelins. Acerra was alarmed at the incipient rebellion, and the adherents of Frederic urgently entreated him to send them his infant son, their rightful King. Baby as

he was, all would, they alleged, see in him the representative of their deceased, universally acknowledged Queen, his grandmother, Maria Yolanthe; and thus his presence would assist them to assert his title, whilst his education amongst his subjects, would insure him their loyal attachment.

Why the Emperor did not comply with this demand, Conrad being but a younger son, and his heir, King Henry, if not comporting himself to his perfect satisfaction, not having as yet incurred his serious displeasure, is not explained by contemporary writers. He may, indeed, have seen and heard enough of this eldest son's conduct, to awaken a presentient apprehension of the impending catastrophe; but the more probable conjecture seems to be, that he was reluctant to risk the child, of whom he appears to have always been exceedingly fond, in a country so distracted, so endangered by foreign and domestic foes, and where he himself had met with treachery. But, if he withheld the young King of Jerusalem from his unruly subjects, he again despatched Marshal Filangieri with a fleet and a body of troops to Acre, to put down the insurrection.

And now the Pope, in direct contradiction to his conduct during Frederic's Crusade, came forward in proper pontifical guise. He required from the Grand-Masters of the Templars and the Hospitalers obedience to all commands of the Emperor-King, as conveyed to them through his vicegerents; assuring them that he, the Emperor-King, as Regent for his son, the lawful sovereign of the Holy Land, had no purpose of infringing upon the rights of the Church, of the Orders, or of the Estates of the realm. He severely blamed the dissensions of the Oriental Christians amongst themselves, as ruinous alike to their own interests and to the cause of Christendom. He wrote to the Patriarch of Jerusalem, who, to prove himself the most active of Papal partisans, had been Frederic's most active enemy during the Crusade, to reprimand him for the fruits of that very partisanship, to say that the complaints made by the Emperor-King, of his conduct were perfectly just; that so blameable, so injurious to the Christian cause, had his actions been, that in order to

protect the Church from suspicion of involvement in the infamy he had brought upon himself, he must be deprived of the legatine authority; which was transferred to the Patriarch of Antioch. Gregory further summoned him to Rome to justify himself, if possible. The Papal authority would seem, in Palestine at least, to have been less efficient to befriend than to injure; for in this civil conflict between the partisans of Conrad and those of his grand-aunt, the Queen of Cyprus, the fortune of war long fluctuated; although, in the end, the champions of Alicia were vanquished, and her pretensions abandoned.

Although the Pope thus cordially cooperated with the Emperor, he still professed some dissatisfaction, and new offence daily occurred, superadded to the peculiarly opposite idiosyncrasies of these heads of the temporal, and of the, not spiritual but, pontifical interests. The deep displeasure called forth by the Sicilian code was enhanced, and papal irascibility enkindled relatively to some contested fiefs of the Matildan gift. Gregory's epistles at this epoch speak the language of complaint and reproof; Frederic's that of apology and argumentative justification. But, both parties dreading a rupture, conciliation prevailed; and Gregory again forbade the Lombards to offer any obstruction to the passage of the Germans summoned to an imperial Diet.

He has been accused, even by writers whose general bias is Guelph,(217) of having secretly instigated the Lombards, both now and the preceding year, to disobey the commands he publicly issued; and the imputation of duplicity will be found repeated upon a subsequent occasion. Duplicity is not the ordinary concomitant of the headlong violence discovered by Gregory in his first quarrel with Frederic, or of the known faults of his character, which appear to be prejudice, honest as obstinate, bigotry, and pride. Great indeed is the reluctance with which, in such a man, suspicion of political deceit or even temporizing, can be admitted; yet it is very difficult altogether to stifle a lurking mistrust, when contrasting his conduct previous and subsequent to this occasion, with that of the present moment, when he greatly needed the Emperor's aid. The Romans had again risen against

their priestly Sovereign, again expelling him from his capital; whilst throughout the Estates of the Church corresponding movements appeared. Again had the Pope sought assistance from the Emperor; and, desirous as the latter must have been to cultivate the good will of the Romans, again was that assistance frankly given. In this position of affairs, Gregory prevailed upon the Lombards to arrange a meeting of deputies from the League with the Teutonic Grand-Master, to concert, under the auspices of the Cardinals whom he should appoint to mediate between them, a final settlement of their differences with the Emperor. Pending the negotiations, he insisted upon a suspension of all hostile measures. But now, the Lombard claim having become actual republican independence, the views of the negotiators of the opposite parties were too wide apart to authorize any expectation of their agreeing upon the points in dispute: and, after much useless discussion, the only accord possible seemed to be, referring the whole question once more to papal arbitration. Gregory, who was then looking to Frederic for reinstalment in the Lateran, like Honorius, declined the office; and more than once repeated his refusal.

The Emperor appears not to have much relied upon either the Pope's influence with the Lombards, or the signed armistice, for preventing the renewed obstruction of the Alpine passes; inasmuch as, to facilitate the obedience of King Henry and the German princes to his summons, he removed the seat of the convened Diet from Ravenna to Aquileia, the roads to which, leading over the Rhaetian Alps, lay beyond the sphere of Milanese despotism. At Aquileia, in April, 1232, he held a well-attended Diet, of which the affairs of Germany were the main business. Previous, therefore, to touching upon the transactions of this Diet, a survey of that kingdom, since the failure of its princes to reach Cremona, must be taken.

The young King, though only eighteen at the epoch of the Emperor's Crusade, already deemed himself fully equal to the task assigned him; and, as long as the sycophants, who sought to live upon his favour, could not quite close his ears to the counsels of the Duke of Bavaria, he acquitted himself of that arduous task tolerably,

if not thoroughly, to the general satisfaction. Arduous it has been called, for arduous must the heavily responsible office of a sovereign ever be; but nothing had as yet rendered Henry's more than ordinarily so: no extraordinary difficulties had arisen to trouble his government.

The war with Denmark had ended happily. When the Danish monarch, strong in the dispensation from his oath, so strangely granted him by Honorius III, attempted forcibly to retain the provinces he had pledged himself to restore, the Emperor called upon all the German princes, whether or not individually interested in the execution of the treaty, to assist the young King in compelling his perjured enemy to fulfil those conditions, to which, as the only means of recovering his liberty, he had bound himself by oath. Many of the princes in the vicinity of the theatre of war answered to their Sovereign's call; but not all. Otho Duke of Brunswick, nephew of Palsgrave Henry and of Otho IV, was so far from joining their ranks, that, actuated as much by Guelphism as by the ties of kindred, he at once led his vassals to reinforce his uncle Waldemar.

The fortune of arms was not propitious to perjury. Upon the 22nd of July, 1227, a pitched battle was fought in Holstein; when the fate of the day was decided by the desertion of the men of Ditmarsen, who, till then, had found no opportunity of breaking the detested Danish yoke. Waldemar was defeated with the loss of 4000 men. He himself, wounded in the eye, and unhorsed, was upon the point of being slain or again taken, when one of his knights, seeing the danger of the monarch, caught hold of him, flung him like a sack of corn across the neck of his own charger, and galloped off. Otho, less fortunate, was made prisoner by the Duke of Saxony. Waldemar, after this defeat, abandoning, as hopeless, his attempt to retain the Slavonian provinces, remained quiet.

Externally, Germany had, since that battle, been at peace: internally, the usual broils and feuds of princes and nobles were no longer restrained by the strong hand of a powerful and energetic sovereign. And still are these feuds and broils, however seemingly insignificant and certainly uninteresting, an essential feature in the picture of

the times, indispensable to the just appreciation of the Swabian emperors, and their often ill-understood position.

Whilst for most of these characteristics of the early and the middle ages, a mention indicating their existence, is enough, a few occasionally demand, in both points of view, somewhat of detail; none, perhaps, more than the quarrel of Siegfried, Archbishop of Mainz, with Landgrave Conrad of Thuringia. Indeed the whole series of events in Thuringia, subsequent to the death of Landgrave Lewis at sea, when Frederic's first attempt to fulfil his crusading vow was so unfortunately baffled, is essential to the first of those objects. But a few preliminary words respecting Landgrave Lewis, his parents, and his canonized consort, will be requisite.

This consort was Elizabeth, daughter to Andreas II of Hungary, and his Queen, that Gertrude von Andechs who has been unfavourably introduced to the reader's acquaintance. Elizabeth was affianced in her cradle, to Landgrave Lewis, and in her cradle carried to Thuringia, to be educated in the family of her future husband. The Wartburg[218] court of her bridegroom's father, Landgrave Hermann—a prince whose patronage of letters appears to have been his chief merit—was the resort of all the German poets of the day, the theatre of poetic contests, resembling those of the troubadours;[219] and altogether one of the gayest in Germany. Amidst these scenes Elizabeth of Hungary grew up, distinguished for piety and charity to a degree, which, whilst earning for her the posthumous honours of canonization, provoked, both before and after the completion of her marriage, the ill-will of all her husband's family. Yet Elizabeth's piety, however exaggerated or misdirected, was not of the kind to annoy others; interfering neither with her devoted attachment to a fond husband, nor with the lawful pleasures of the court. She is said to have been nearly, if not absolutely, the first member of the lay class of Franciscans; and one of the rules of St. Francis being, that cheerfulness is indispensable to the consummation of every religious sacrifice, because a gloomy countenance is offensive to God, her asceticism was dressed in smiles and a cheerful aspect. Whilst, by choice, spending her time in prayer and penance,

in distributing alms, and tending the sick, about whom she performed in person all the most menial and disagreeable offices, she cheerfully shared in, and, when Landgravine, presided at all court festivities, even dancing at the balls; and concealing the haircloth next her skin, under garments of princely splendour: the rule of lay Franciscans being, in these points, either relaxed in favour of her princely and conjugal duties, or not yet, at this early epoch of the Order's institution, fully established.

This compliance with the festive habits of the Wartburg, could not avert from Elizabeth the dissatisfaction of her mother-in-law, the Landgravine Sophia of Bavaria, or her two younger sons. And under Sophia's undivided control, the death of Landgrave Hermann, in 1215, left his son's affianced bride, until, in 1220, Landgrave Lewis, having completed the twenty-first year of his age, assumed the government and married the future saint, then still only in the fourteenth year of hers. Landgrave Lewis's own piety, which earned him, if not canonization, yet, the surname of the Holy, was of the same character as Elizabeth's, if less violently ascetic, being moderated, either by his masculine nature, or by his important avocations, as the ruler of men. His temperance and his avoidance of temptation, are somewhat comically exemplified, in his recorded invincible determination never to taste salt herrings, lest the artificial thirst they excite should betray him into intoxication — the habit of all around him. And he further marked the depth of his devotion, by accepting the same confessor, who, as ascetically as was compatible with her position, governed his wife's conduct. This Confessor was the nobly born Conrad of Marburg, secular priest, as appears from his title of *Magister*, attached to the Dominican Order; who is said, by some authorities, to have been sent Elizabeth in that capacity by Innocent III,(220) upon her writing him a lamentation over her ignorance of the Bible; and from whose directions proceeded the excess of her austerities and charities.

But Landgrave Lewis, despite his piety, love for his wife, and obedience to the same spiritual director, either thought she too little regarded her princely dignity, or

was anxious to guard her from the ridicule of his family and court. Thus actuated, he endeavoured to restrain the publicity of her personal share in the dispensation of charity, and is said to have forbidden her carrying food herself to the poor. Her disregard of his prohibition, in the fervour of her charity and humility, gave rise to one of the more fanciful amongst the legendary tales that celebrate St. Elizabeth, and of which the very childishness heightens the value, as illustrating some of the moral and social views then prevalent. One of her modern biographers, Montalembert, relates, that Lewis the Holy chanced one day, as he returned from the chase, to meet his consort, with a basket on her arm, descending the lofty hill crowned by the Wartburg. Mistrustfully he asked what her basket contained. She, more charitable than veracious, and, it would almost seem, like some less saintly ladies, more fearful of displeasing than of disobeying her husband, answered "Flowers." She probably blushed in consciousness of uttering a falsehood; for disbelieving her, he alighted and opened her basket; when lo! the bread and broken meat, that she was smuggling to her pensioners, had been miraculously changed into roses, to save the future saint from detection in her charitable disobedience and falsehood.

Far different were Elizabeth's next trials, a portion of her history which, though recorded by all her biographers, and apparently undisputed, excites an unwilling suspicion, that the desire of exalting through her sufferings, the merits of their saint, tempted the old chroniclers to colour high. But ere proceeding to her reverses, an anecdote of her court, illustrating the chivalrous fancies of the day, near akin to the extravagancies of knight-errantry, may not inaptly follow the strangely imagined miracle. An assembly of the Saxon princes, including, of course, the Thuringian, being summoned to meet at Merseburg, the Landgrave and Landgravine, attended by their whole court, repaired thither. In their train rode a knight, named Walter von Settelstädt, accompanied by a well-mounted damsel—whether kinswoman or lady-love is not said—bearing, in token of her noble birth, a hawk upon her wrist. Upon the road to Merseburg and the return,

Sir Walter halted every few miles, and challenged all knights whatsoever to break a lance with him, upon the following conditions: if he, the challenger, were unhorsed, his armour and equipments, including the damsel's hawk, were to be the victor's prize, the damsel herself redeeming her liberty with a gold ring; if the challenger unhorsed his antagonist, the vanquished tilter was merely to present a gold ring to the damsel. Terms so advantageous to the challenged were irresistible; the challenge was habitually accepted, and, such was Sir Walter's prowess, that, when the Landgrave and Landgravine again reached the Wartburg, all the damsel's fingers were laden with rings, which the good Knight of Settelstädt there distributed amongst the ladies of the court.(221)

Elizabeth had borne the Landgrave one son and three daughters when, in 1227, at twenty-eight years of age, he fell a victim, as before said, to the fatal epidemic, that interrupted the Imperial Crusade. With her husband she as completely lost everything, as though she had had no royal father to protect her, and assert her son's rights; had been, in the words of our James I to his Queen, "a cook's daughter instead of a king's." Lewis, at his departure for the Holy Land, had committed his family and his dominions to the guardianship of his next brother, Henry, surnamed Raspe. This surname, variously explained to signify valiant, savage, or sullen, is said to have been given to every Henry in the princely family of Thuringia, for no apparent reason except that the first Henry, so designated, built Raspenburg: but the present Henry Raspe well justified his claim to the title, whichever its sense. He, when the sad tidings of the Landgrave's death reached the Wartburg, not content with the regency for his infant nephew, usurped the landgraviate. The sorrowing widow, who had no friend or advocate present to champion her cause, (her Confessor, Magister Conrad, had accompanied the Landgrave,) pleaded in person her son's right to succeed to his father; and Henry Raspe's answer was, not only the expulsion of herself and her children from the palace, but, according to general belief, a proclamation declaring that whoever should afford

the expelled family shelter or relief, would be considered as doing the new Landgrave ill service.

The widowed Princess wandered forth with her helpless babes, not knowing how to obtain for them a morsel of bread, or where to lay her own head. The hospitals, in which she had personally nursed the patients, durst not afford her an asylum, and her sufferings were sharpened by the ingratitude of those upon whom she had lavished acts of kindness. This, unhappily, is but too credible. Exultation over fallen greatness seeming, by coarse minds, to be felt as compensation for past pangs of envy and mortification. The Landgravine's petitions for assistance were harshly, often scoffingly repulsed; a beggar-woman, upon whom she had showered alms and consolations, pushing her aside with a rudeness that threw her down in the kennel; so defiling her garments, that this daughter of the proud Magyar kings, was obliged, with her own royal hands, to wash them in the river, ere, with her forlorn offspring, she sought refuge in a church, where she and they were in danger of perishing from cold and hunger. But the innately humble piety, with which she there offered up thanksgivings for chastisements paternally inflicted, found acceptance, and her sufferings were alleviated. An obscure but compassionate priest, who revered her character, braving the wrath of the usurper, withdrew the desolate princely outcasts from the comfortless church, to shelter them under his own lowly roof. Soon afterwards, the Abbess of Kitzingen offered the widowed and persecuted Landgravine the hospitality of her convent; and there she remained until her maternal uncle, the Bishop of Bamberg, now re-installed in his see, provided her with a suitable residence in Bodenstein Castle, one of his episcopal palaces.

Why the ejected Landgravine did not appeal to her royal father, to protect and redress his disinherited grandson, is not explained; but her piety may, perhaps, have shrunk from the risk of provoking a war. Her devout resignation did not, however, go the length of abandoning her son's cause and birthright; therefore, when the noble and knightly vassals, who had attended Landgrave Lewis

to Brindisi to share the Crusade with him, brought back his corse to Thuringia, she met and adjured them, not to see the son of their lost Lord robbed of his inheritance, but to remonstrate with the triumphant usurper, upon the wrong done to his dead brother. The chivalrous spirit of her deceased Lord's vassal-comrades scarcely needed the supplications of the young, beautiful, and saintly widow, to awaken their zeal for the despoiled orphan. Those wrongs they prepared to redress; and no sooner were they in presence of Henry Raspe, than Rudolph von Varila, or Vargula, as the name is variously written, hereditary cup-bearer, or butler, of Thuringia, thus addressed him:(222)— "Lord Landgrave, my friends, your vassals, here present, have prayed me to speak to you. In Franconia and in Thuringia, by strangers and by acquaintances, have we been told of such uncharitable deeds, wrought by you, that our hearts are pierced and our faces crimsoned with shame. What have you done, young Prince? Who could dare advise such an act, as to drive from your gates, from your towns and castles, your dead brother's wife, the sad widow, the daughter of a right noble king, treating her like a beggar-woman, HER whom you most ought to have honoured and consoled? Where was your brotherly fidelity when you harshly discarded your brother's orphans, whom, as their nearest kinsman and appointed guardian, it was your duty to educate and cherish? Of a truth, you learned not this of your deceased brother, that virtuous prince, who would not have so dealt by the meanest of his vassals," &c. &c.

In this strain Rudolph harangued, longer than the English reader would care to read his remonstrances. But so effective proved his eloquence, supported, as it was, by the menacing aspect of his warlike comrades, that the Landgrave wept, imputed his cruelty and usurpation to evil counsellors, and authorized the free-spoken cup-bearer to negotiate his reconciliation with his injured sister-in-law. As the terms, he agreed to acknowledge his nephew, her son, as Landgrave, retaining the regency during his minority, and to assign Elizabeth a suitable provision for the maintenance of herself and her daughters. In short, so completely did the usurper submit in every

point, that it might be supposed he had sinned solely for want of some one to suggest that he was doing wrong. But history gives him credit neither for previous innocence nor present repentance, laying the death of his troublesome nephew, just before the legal time for resigning the authority to him, to his charge; if an unproved accusation, one far less improbable than many that have been, and still are to be mentioned.

However this may be, for the moment all looked smooth, and Elizabeth's residence was, by her own desire, fixed at Marburg, a retired place in western Thuringia. There, chiefly under the direction of her Confessor, who seems to have accompanied the body of Lewis the Holy back to Thuringia, she devoted herself to works of piety and charity, to penance and privations, carried to such an excess of ascetic austerity, as appears to have shortened her life, whilst producing the hallucinations in which she found solace. She gave away her whole income, supporting herself by spinning. She separated herself from her children, because they often withdrew her thoughts from Heaven. She dismissed her faithful maids of honour, who not only uncomplainingly, but admiringly, submitted to share her voluntary poverty—one of whom has recorded the virtues she revered—to be served only by an ill-tempered, disgusting old crone. Because venerated at Marburg, she left the place for a neighbouring village. The blows and merciless scourgings that Magister Conrad—for what sins who shall guess?—thought fit to add to these sacrifices, she accepted joyfully; finding obedience difficult only when he required her to renounce the indulgence of giving her alms in person, or forbade her to risk her life, by tendence upon infectious diseases, in the hospital she had built at Marburg. With her personal discharge of those offices, necessary in a sick-room, but painfully revolting to delicacy, how slightly soever developed, he did not interfere;[223] and though he is not supposed to have enjoined, he silently sanctioned, the penance of drinking the water in which she had washed ulcers and other sores, in expiation of involuntary sensations of disgust whilst performing those offices.

The King of Hungary, if he had strangely remained

ignorant, or regardless of the as strange ill-usage of his daughter and grandchildren by her brother-in-law, heard with anger of the humiliations to which she voluntarily subjected herself; and sent one of his magnates to carry her his paternal commands, that she should abandon so unprincely a mode of existence, and return, escorted by the deputed nobleman, to her native home. But the poverty, toil, and servile occupations, in which the widowed Landgravine passed her hours, were cheered by constant visions. In these, her excited imagination showed her the Virgin-Mother of the Saviour and his best-loved Disciple in intimate relation with herself; the first acting the part of her maternal friend, the last of her confessor. Need it be said she was happy? And Ban Panyas, who raved at, whilst he wept over, the voluntary sufferings and degradation of his Sovereign's daughter, found the task of persuading her to exchange them for the pleasures of her father's court, or the scene of more enlarged, and, therefore, more useful, benevolence there offering, hopeless. To yet more splendid invitations she proved equally inflexible. The Emperor Frederic II, despite his suspected deficiency of religion, was enamoured of her reputation, and solicited her hand; but Elizabeth had vowed fidelity to the memory of her deceased consort, and refused as positively to share the Imperial throne, as to return to the Hungarian court.

Such a course of life as she had embraced, blending the hardships and privations of the austerest order of cloistered nuns, with the actively laborious duties of a *Sœur de Charité*, and with earning her bread, could not last long. In November, 1231, in the twenty-fourth year of her age, Elizabeth expired, bequeathing her charitable institutions to the Teutonic Order, then powerful in Thuringia, lest her brother-in-law, the Regent, who disapproved, should, as extravagant, abolish them; Magister Conrad, however, extorted their confirmation from him. Such was the fame of Elizabeth's sanctity, that the Archbishops of Mainz and Treves, and the Bishop of Hildesheim, repaired to Marburg to officiate in her obsequies. She had been reputed to work miracles during her life, and miraculous

cures were immediately averred to be wrought at her grave.

This episode has run into greater length than was intended, but seemed essential to a portraiture of the age. Soon after the death of its extraordinary heroine, occurred the feud above alluded to, between Mainz and Thuringia. Archbishop Siegfried, having much increased the debts by which he had found his see oppressed, sought means of discharging them in a heavy tax laid upon all his clergy, regular as well as secular. The Landgrave of Thuringia, as hereditary Steward of the Abbey of Reichardsbrunn, founded by his ancestors, bade the Abbot plead the exemption of his Abbey from the authority of bishop or archbishop, as ecclesiastical superior. The Abbot willingly complied; the Metropolitan excommunicated him, and threatened deposal. The Abbot defied the Archbishop. But the hereditary Steward, whilst ordering resistance, had neglected to provide the means. The Abbot and his monks were speedily overpowered; the Abbey was compelled to pay the tax at which it was rated; as also to acknowledge subjection to the archiepiscopal see; and the Abbot to submit to such penance as his aggrieved Superior should enjoin. And what was that penance? The vindictive Archbishop summoned the Abbot to Erfurth, where he commanded him to kneel, stripped as far as decency permitted, three long days at the door of the Chapter-house, to be then and there scourged, under the eye, if not by the hand, of the conqueror.

The government of the western half of Thuringia, Henry Raspe, as Regent, had committed to his younger brother, Landgrave Conrad, a haughty, irascible, and reckless profligate. He, amidst his rude orgies, hearing of the treatment to which a Thuringian immediate vassal was subjected, flew to the scene of priestly vengeance, and beheld the unapostolic prelate in the act of scourging, with his own hand, him whom he esteemed a vanquished rebel. The rage enkindled in the prince by the sight, would not be allayed by his consciousness, that, to his own neglect, was the opportunity of offering such an insult due. By the hair of his head Conrad dragged the archi-

episcopal executioner from his prey, and could hardly be prevented from slaying him upon the spot.(224)

War between Mainz and Thuringia of course ensued, and Conrad, though excommunicated by the Pope, successfully devastated the ecclesiastical principality. Around Fritzlar he had burnt some mills and a bridge, but probably deemed his force insufficient for a regular siege, as he was turning away from the town; when the inhabitants, exulting in their apparent security, insulted him in the same indescribable mode, in which the citizens of Bardewick, half a century earlier, had insulted Henry the Lion; but with the unimaginable difference, that upon this occasion, it was the female portion of the population that thus set modesty and decency at defiance, to flout an enemy by the exposure of their own persons. Whatever might be thought of such proceedings in the nineteenth century, in the thirteenth, Conrad felt the act as intended; and the fury excited in his men as in himself, both superseding prudence, and supplying energies that superseded its necessity, the town was instantly assaulted, stormed, and sacked. The outrages, common upon such occasions, are said, in the present instance, to have far exceeded all sackings of towns ever heard of, and not to have been confined to the laity; churches and convents were plundered, some destroyed, and consecrated nuns were subjected to the same brutal violence as their worldly sisters. Though Conrad was, as before intimated, one of the wildest libertines of the day, horror at these sacrilegious atrocities, now that his thirst of vengeance was slaked, overpowered him. He repented of his war against a prelate; commissioned Magister Conrad to negotiate his reconciliation with the Archbishop, and made a pilgrimage to Rome to solicit absolution. The terms upon which he obtained it were, 1st, contributing very largely to the rebuilding of the holy edifices, destroyed by his fault; 2ndly, walking barefoot and bareheaded through the streets of Fritzlar, to the portal of a specified church; and, 3rdly, there, prostrate, both imploring the pardon of every passer-by, and offering every one a rod with which to scourge him. This humble confession of his offence by a prince, was accepted as

ample expiation by the whole town, with the solitary exception of one old woman, who taking the offered rod, struck the Landgrave several sharp blows. Who shall say what she might not have suffered in her children?

This end of the feud has been somewhat prematurely narrated, and, such being the case, the anachronism may as well be continued, and the next change in Landgrave Conrad, occurring soon afterwards, be here added, as serving, though historically unimportant, to complete the Thuringian picture. Conrad was, even beyond his contemporaries, a creature of impulse. The penance and absolution completely relieving his conscience, he returned to his licentious pleasures, in which he revelled with a hard-heartedness, that renders them yet more revolting. In this disgraceful career, he, one day, inhumanly ill-treated a young woman, of that wretched class, who may be termed the victims of civilization. The unhappy creature, in palliation of her infamy, humbly pleaded the sufferings of utter destitution and hunger, that had driven her to procure bread through such bitter degradation. Her words struck upon a yet untouched chord in the young profligate's heart. During the sleepless night that followed, his thoughts dwelt on the sister-in-law, whom he had helped Henry Raspe to wrong, to reduce to distress, analogous to that described by the girl, who had thereby been, it might almost be said, forced, rather than tempted, to seek relief from vice; distress, that, but for her own innate piety, might similarly have doomed the saintly princess to perdition. He arose next morning a true penitent. To penance and expiation he resolved to dedicate the remainder of his life; chusing, however, the form of expiation most agreeable to his temper. With two of the companions of his vices, who—struck like him by the words of the poor sinner—became the companions of his penitence, or, according to some writers, with twenty-four Thuringian nobles, he pronounced the vows of a Teutonic Knight. With the sanction of his nephew, the minor Landgrave Hermann, and of the Regent, Henry Raspe, he endowed the Order with his appanage, including Marburg; which, in token of respect for Elizabeth's memory,

he made his habitual residence. The European head-quarters of the Order were, not very long afterwards, transferred thither.

In further token of respect for his deceased sister-in-law, Landgrave Conrad immediately took measures for obtaining her canonization. At his request, his reconciled enemy and Elizabeth's admirer, the Archbishop of Mainz, drew up a memoir of her life, with a record of the attested miraculous cures, thirty-seven in number, including the fully attested resuscitation of a dead child, wrought by her, whether during her life, or since her death. This document, Conrad, in person, carried to Rome, laid before Gregory, and vehemently pressed for the enrolment of his sister-in-law among the recognised Saints of the Church. The preliminary inquiries appear to have been immediately instituted.

These Thuringian transactions have been detailed as marked features in the portraiture of the times, which to preserve is one object of history; and two or three other feuds may, on the like account, be worth mentioning. As, for instance, in the Netherlands, the Bishop of Utrecht and the Steward of his see, the Earl of Gueldres, being about to attack a rebellious vassal of the see, were lured by him into a morass and there slain. Again, in the north-east, a prelate of different spirit from him of Mainz, is found. The two, young, brother-Margraves of Brandenburg having causelessly attacked the Archbishop of Magdeburg, suzerain of part of their dominions, he defeated them in a pitched battle, and pursued them to the very walls of their capital, Brandenburg. The gates being here closed against the fugitive Margraves, they continued their flight in dismay. The Archbishop was pressed by the leaders of his troops to make himself master of the city, which was evidently at his mercy; but he replied: "The brothers are my vassals, and as yet mere boys; they will grow wiser as they grow older, and may then be useful friends to the Church." So saying, he led his army home. The war which the Bishop of Strasburg, reinforced by the Earl of Habsburg, was waging against his own kinsman, the Earl of Pfirt, only deserves notice, from the interest attaching to every early appearance of a family, that, before the

close of the century, had risen, ultimately for a permanence, to the height of imperial power and dignity.

The contest in which Otho Duke of Brunswick was engaged, involved more positive material interest. His position, at the moment of his capture by the Duke of Saxony, was such as rendered imprisonment peculiarly inconvenient. The death of his uncle, Palsgrave Henry, left him, the son of the youngest brother, the sole, direct male representative of Henry the Lion, but by no means the undisputed heir of even his reduced possessions. It has been seen that, after the Rhine-Palsgrave had lost his only son, the Emperor had arranged marriages for his two daughters, as his heiresses, with a son of the Duke of Bavaria, and the Margrave of Baden, assigning the palatinate to Duchess Agnes, the rest of his heritage to Margravine Irmengard. With the latter lady he had since made an exchange, giving her lands in Swabia conveniently adjacent to Baden, instead of fiefs and allodial property in Franconia. Thus the rights of the princesses to their patrimony, were in fact the Emperor's own concern, whilst some sword fiefs lapsed, he asserted, to the crown. But Otho of Brunswick had been no party to these arrangements, and maintained that, as his uncle's lawful heir, he was entitled to the whole heritage; whilst his right, even to part of the remaining Saxon patrimony, was disputed. The illegitimate Danish Waldemar, as Archbishop of Bremen, claimed the county of Stade, formerly contested between his predecessor and Henry the Lion; and the Archbishop of Magdeburg advanced similar pretensions to other districts. Under such circumstances, the Duke of Brunswick, after three years of captivity, gladly surrendered Lauenburg and Hitzacker to the Duke of Saxony, as his ransom. No sooner was he at liberty, than, with the assistance of his brothers-in-law, the young Margraves of Brandenburg, and relying upon the hereditary vassals' attachment to his family, he prepared to assert in arms, his right, to at least all that his uncles, Palsgrave Henry and Emperor Otho, had held at their death.

Meanwhile Archbishop Waldemar had, since King Waldemar's last defeat, mediated peace between the Empire and

Denmark, on condition of the Danish monarch's absolutely and finally renouncing all claim to any territory south of the Eider; leaving Holstein an undisputed German county. The prelate thought, by this service, both to secure to himself King Henry's support, and to deprive the rival Archbishop of King Waldemar's. His hopes were so far fulfilled that King Henry led troops to aid him in asserting his pretensions to Stade; in which the rival Archbishop concurred. But Duke Otho successfully repulsed King and Archbishops, maintaining his ground, although disappointed of the succour he demanded, as his due, from the Pope; who, prior to the peace of San Germano, had sought the friendship of all German opponents of the Emperor. But, in fact, he had no right to expect such assistance, unless Gregory's interests were thereby promoted; since he and his friends had previously disappointed the Pontiff's hopes, avowing themselves too weak to attempt an insurrection against the young King.

But these feuds were not Germany's only troubles: two others had arisen out of papal proceedings. The first and least important was of a pecuniary nature, and of recent origin. Gregory, when he had made peace with Frederic, found, like most belligerents, that war, especially unsuccessful war, is an expensive pastime; and he had to seek for money to free himself from his embarrassments. His Legates were accordingly everywhere striving to wring contributions from both clergy and laity. With the latter they failed altogether; with the former their success was partial. In England, indeed, the clergy were at first scared by threats of excommunication and interdict into submission; but the burthen quickly became so intolerable, as to overbalance their fears of the consequences of resistance; and the stout Earl of Chester declared, that *his* clergy should, no more than himself, be plundered to pay for the military amusements of the self-entitled vicegerent of the Prince of Peace. In Germany, where Cardinal Otho, as Legate, summoned a Diet at Würzburg, in order to assess the empire, for the relief of the Holy Father's necessities, few, even of the ecclesiastical princes, obeyed his call. Of these few, yet fewer showed any disposition to comply with the Legate's demands; and the languid, even

if honest, efforts to do so of those who professed willingness, were easily baffled by the lay princes present. The Duke of Saxony, in concert with the, usually Guelph, Saxon great vassals, spiritual as well as temporal, made a more active opposition to this experiment upon the temper of the country. They put forth a proclamation, exhorting all prelate-princes to recollect that they were Princes of the Empire and Germans, as well as churchmen; therefore, bound to resist papal usurpation and extortion. The young King, guided by the Duke of Bavaria, was, if not the instigator or open promoter of all this opposition, assuredly its underhand abettor.

A more permanent cause of disturbance was heresy. That heterodox opinions, in other words, opinions, whether rational or insane, differing from the Romish creed, had crept into Germany, as well as into other countries, there can be no doubt. The temperament of the nation, at once dreamy, speculative, and argumentative, peculiarly tends both to mysticism, and to metaphysical ratiocination upon that, which is, and must be, inscrutable to human, *i.e.* finite, intellect; whilst the twelfth and thirteenth centuries were ages of religious excitement. Hence, on the one hand, orthodox Romanists were impelled by enthusiastic devotion into the excesses that have been seen in St. Francis and St. Elizabeth; hence, at Viterbo, a child of ten years old publicly harangued her fellow-countrymen in defence of the absolute sovereignty of the Pope; and harangued them with such effect, that, by the time she was fifteen, Frederic thought it necessary to banish her; and, subsequently, the Pope judged her canonization, as St. Rosa, expedient: on the other, whilst some persons, rationally as acutely, impugned divers dogmas of the Church of Rome, others advanced such extravagant and absurd fancies, too often immoral in their folly, as have been noticed amongst those agglomerated as the creed of the Albigenses; and some pseudo-heresiarchs were downright maniacs. To make this last assertion good, the statement, that one female heresiarch professed herself a votary of Satan, who had, she averred, been unjustly expelled from Heaven, may suffice.

Such heresies certainly did exist, and had long existed

in Germany, causing anxiety to former pontiffs. Innocent III had, as the first step towards remedying the evil, charged all bishops to investigate its extent and nature, each in his own diocese; and when he appointed Magister Conrad confessor to the future Saint in Thuringia, is said to have given him a commission, to inquire into the matter of heresy, as far as might be compatible with his duties at the Thuringian court. Honorius III, either enlarged this commission, or was the original giver. Conrad, whose narrow bigotry has been apparent in the history of his royal shriftchild—if that pretty German expression may be adopted for such as can hardly be termed their Confessor's penitents—was one, to whom accusation was nearly identical with proof; and he reported to Rome abundance of heresies and heretics, to whom he imputed, in addition to their erroneous opinions, all the licentiousness of which the Albigenses were accused; and also, the ludicrous as horrible, sacrilegious indecencies, then believed to characterize the nocturnal meetings of witches. These heretics, whatever their doctrines, chiefly abounded in the archbishopric of Treves, and Theodore von Wied, then Archbishop, had laboured zealously at their conversion. But he, in the opposite extreme to Magister Conrad, received their oaths to the orthodoxy of their opinions as proof, and they duped him; for here again appears equivocation, if not direct falsehood, strangely associated with fervent piety. The heretics elected a Pope Gregory IX and an Archbishop Theodore of their own; and readily swore that their faith was in exact conformity with the faith of Pope Gregory and Archbishop Theodore. The stratagem that had deluded the prelate, being about this time detected, naturally provoked the most violent indignation at Rome. The impetuous Gregory, without further inquiry or hesitation, committed the investigation, and the extirpation of heresy, to Conrad of Marburg; whose character was too congenial to his own, though yet more reckless of human life and human suffering, not to inspire him with confidence. That Conrad might execute this office the more efficiently, the Pope invested him with full powers, for whose use he was accountable only to himself; and autho-

rized him to have a crusade preached, if necessary, against obstinate heretics and their abettors.

In proportion as the functions of an uncontrolled inquisitor into, and judge of, heresy, were agreeable to the mind and temper of Magister Conrad, was he unfit to discharge them.(225) The fierceness of his zeal in the cause amounted to what might be termed monomania; and so completely did he, apparently, consider accusation as equivalent to proof, that the course of proceeding he adopted, as best calculated to elicit the truth, was this. All accused persons were required, without any form of trial, to confess, recant, and voluntarily undergo divers humiliating penances; or to avouch their orthodoxy upon oath; in which last case, to prevent any repetition of the deception practised upon the Archbishop of Treves, they were forthwith burnt as obstinate heretics. A couple of profligate vagabonds of either sex, whose names, Amfried and Alaidis, though scarce worth being "damned to everlasting fame," are recorded, appear to have early perceived a mine of wealth in such power, intrusted to such a disposition; and took upon themselves the office of purveyors for the stake. Alaidis first won his confidence by accusing herself of past heresy, in expiation of which, though long abjured, she offered to be burnt; or, if spared, to denounce her deserted accomplices. The offer of her person to the stake was received as irrefragable proof of *her* sincerity; and she vouched for that of her male associate. The first accusations brought by these informers, appear to have been prompted by ordinary covetousness; and possibly it was their success in these, that tempted them to trade in human blood. The first sacrificed were relations of their own, whose property they expected to inherit, or who had offended them. But independently of such contingent gains, the rewards allowed by Honorius III to informers and witnesses against heretics—a definite portion of the confiscated property—made this horrid profession amply remunerative; and these persons manifestly adopted it, without a single impulse of honest bigotry. They laid their accusations indiscriminately, often without any grounds whatsoever, against persons of all ranks and both sexes; against respectable citizens and their wives,

against priests, against nobles and their ladies, and even against princes of the Empire; amongst others, against the Earls of Sayn, Solmes, and Henneberg, and the Countess of Lotz.

Of the persons thus inculpated many boldly asserted their orthodoxy, and were immediately burnt. Such a result of professing faith in strict conformity with that of the Church, spread terror around; and now numbers, the above-named Princes of the Empire amongst the rest, caught at the alternative offered; confessed any opinion that their accusers chose to impute to them, publicly recanted opinions they had, perhaps, never before heard of, and underwent the penances imposed by Magister Conrad; the final one being invariably the shaving of the head—a degradation, as well as a personal mortification, in an age that looked upon long, flowing tresses, as the mark of high birth and dignity. Success fanned the flame of this frantic zeal. Erelong Conrad, deeming his past proceedings dilatory, pronounced sentence the very day on which the accusation was laid; and, henceforward, he treated as accomplices, obnoxious to the same punishment, not only all who offered evidence of the orthodoxy of the accused, but all who showed them goodwill, or betrayed pity for them. Fear, fanaticism, and worse motives assuming their garb, now produced rival informers. Charges of heresy, innumerable and revolting, poured in; servants criminated their masters, brothers their sisters, wives their husbands, children their parents. In this state of things, the hitherto deferred crusade against German heretics, was preached by the Bishop of Hildesheim; the same who had assisted the two Archbishops to celebrate the funeral rites of St. Elizabeth.

King Henry, meanwhile, had really attained to manhood; but his passions naturally ripening earlier than his judgment, his flatterers and sycophants, the associates of those licentious pleasures into which they seduced him, daily gained more influence. Easily they taught him to regard the loyal Duke of Bavaria as a pedagogue, whose tuition he needed not, obtruded upon him as a counsellor, by the Emperor. The Duke saw his advice slighted; and, disgusted alike at the state of public affairs, and at the treat-

ment he himself met with, retired to his own duchy, devoting himself entirely to its government. Freed from all counterpoise, the adulatory intriguers swayed Henry at their pleasure, and stimulated his ambition as the means of gratifying their own. They excited his jealousy of his younger brother, Conrad, who, being more with their father, had ample opportunities of insinuating himself into that father's affection, and using it to supplant him—a scheme still perhaps to be frustrated by boldness. They fomented his resentment of his father's interference with his government—since the murder of the Archbishop, the Emperor had, more than once, modified if not cancelled decisions and other measures of his son's. They represented that the Emperor, having pledged himself to sever his northern from his southern dominions, had in fact resigned the crown of Germany to Henry, and had no longer any right to dictate to him, or attempt controlling his authority.

Such reasonings were too agreeable to a hot-headed youth of twenty, not to be accepted as just; and he and his friends prepared to shake off an usurped and tyrannical yoke. Of the Princes of the Empire there was only one whom, though he had seemingly abandoned the field to them, they dreaded, as a formidable and inflexible opponent—to wit, the Duke of Bavaria. But from this inconvenient censor, one of those crimes, that, perplexing contemporaries, remain topics for dispute amongst historians, delivered them. In the month of September, 1231, the Duke, during an evening stroll, was suddenly assassinated upon the bridge at Kelheim. The murderer, who was instantly seized, proved to be an utterly unknown individual. His account of himself and his motives seemed neither satisfactory nor sufficient; but the rack, upon which he is said to have expired, failed to extort any name of instigator or accomplice. The crime was, of course, variously imputed, as passion or prejudice dictated; and is so still. King Henry and his partisans boldly accused the Emperor, averring the murderer to have been a Syrian assassin, sent by the Old Man of the Mountain, at his urgent request; and some writers have adopted their opinion,[226] although what possible inducement the Emperor could have, to

incur so much trouble and expense, in order to deprive himself of his most loyal and most trusted German vassal, they have omitted to explain, probably finding none. The Imperialists taxed the young King with being the instigator, equally without proof, though not equally without plausible grounds of suspicion; since the Duke was obviously an obstacle to success, in the rebellion that his flatterers had long, and by this time he himself, evidently meditated. This theory is still adopted by some Bavarian historians.(227) Another opinion, advanced, even amidst the clashing passions of the times, was that the assassin might be an idiot or a lunatic, whom the Duke had irritated by laughing at him.(228) But whoever instigated, or whatever motive led to, the murder of Duke Lewis, no one benefited by the deed. Duke Otho shewing himself as inflexibly loyal as his father, whom he surpassed in abilities.

Meanwhile Henry, guided by his sycophants, was courting the favour of those upon whom his hopes of success depended; but the wisdom of his counsellors not being equal to their ambition, his wooing was often injudicious. To win the princes, he, at their desire, published laws, designed to check, if not crush, the growing power of the cities, despoiling them of their newly acquired rights and privileges. Upon a complaint of the Archbishop of Mainz, he had, as far back as in 1226, forcibly dissolved the first confederation of German cities for mutual protection, mentioned in history; namely, a league between Mainz, Bingen, Worms, Spires, Frankfort, Friedberg, and Gelnhausen. That the right to make war implies a right to make alliances, must never be forgotten. He had since compelled Oppenheim to restore to the Archbishop some of his villains, who had taken refuge there. Thus he had alienated the cities; and as, in his fear of giving offence, he acceded to all requests, he granted to ecclesiastics and laity, to princes and nobles, to prelates and inferior clergy, privileges, reciprocally encroaching upon each other's rights, making at least as many enemies as friends.

Save that the Duke of Bavaria was not as yet murdered, this was the condition of Germany, when the Emperor,

disquieted by what he learned of his son's government, summoned him, together with the German princes, to a Diet at Ravenna, in 1231. Though the summons would be unwelcome to the young King, he did not venture to disobey; but there can be little doubt of his satisfaction at finding the Alpine passes so guarded, as to justify his at once yielding to the obstruction. Some few princes and nobles, faithful to the Sovereign to whom they had sworn allegiance, made their way through, however, and fully explained to the imperial father, the disloyal conduct and menacing attitude of his son. Frederic convoked another Diet for the ensuing April, 1232, and, as before said, misdoubting Lombard obedience to a papal injunction, when contrary to inclination, selected Aquileia for the place of meeting, as in itself and its approaches beyond the sphere of Milanese control.

Either Henry had not yet quite made up his mind to open rebellion against his father, or was insufficiently prepared to avow his purpose without imprudence; for again he obeyed the summons, of which, upon this occasion, no obstacles facilitated the evasion. The Estates of the Empire attended in great numbers, almost all bringing complaints of the young King; princes and prelates, of his general misgovernment; deputations from German cities, of specific wrongs and ill-treatment.

Frederic listened attentively to all, and saw that the dissatisfaction was, for the most part, well founded. His previous suspicions of his son's aspirations after independence were confirmed; but the remedy was less evident than the evil. He could not at this moment leave Italy to assume the government of Germany in person. If the idea of a modern inquirer into the social and political relations existing under the Swabian Emperors[229] be adopted, that Frederic II had conceived the gigantic project of making himself, as Emperor of the Holy Roman Empire, really suzerain of Europe, he had indeed still much work before him in Italy. Such a project could be carried out only by first gaining in the south, through the new organization of the Sicilies, strength equal to crushing the Lombard League, thus reducing central and northern Italy to subjection. Then, with the whole

power of Italy, must the authority over Germany, possessed by his father and grandfather, be recovered. Only with this accumulated force, could he attempt to establish the Imperial suzerainty, supposed to have been his object. And, if these views be rejected as extravagant, still, the hostility of the self-emancipated Lombards so clearly increased the difficulty of governing his severed dominions as a united whole, that they must needs be reduced, if not to obedience, at least to the condition of loyal dependent allies, before he could quit the Peninsula for Germany.

On the other hand, neither could Germany be suffered to remain under misgovernment; nor could an elected King of the Romans be displaced, like an Imperial Vicar, for incapacity or ambition, even had Frederic, apparently an affectionate father, been willing so severely to punish his son's boyish follies. Nay, he judged it imprudent to rescind all the young King's objectionable laws and concessions; feeling that the power acquired, and the consequent assumption of autocracy, by the princes, during the late period of Imperial weakness, prolonged by his own unavoidable absences, had rendered the necessity of courting them, for the moment at least, imperative.

In this embarrassing predicament, the Emperor sought to steer a middle course. He cancelled the most objectionable, only, of his son's acts; and ordered some castles, unjustly included by Henry, amongst the robber-fortresses justly sentenced by the Diet to destruction, to be rebuilt. He confirmed some of the concessions that he disapproved, and some of the laws injurious to towns; amongst others, those depriving them of the right of forming guilds, and electing their own magistrates.(229*) And the cities proved their confidence in him, their conviction that in so doing he yielded to the coercion of circumstances, by discovering no resentment of this conduct.(230) It is alleged, that these very concessions gave the princes the position at which they had so long aimed, of actual territorial sovereigns. Amidst the long series of concessions, torn by different princes from successive emperors, the individual act, which transformed the Empire into a federation under an Emperor, is not easily selected. But if this really were the turning point, it would be a curious proof that

extent of dominion is no measure of power. If this were so, the acquisition of the Sicilies forced the ablest and greatest of German emperors, most to debilitate the imperial authority.

With respect to Henry himself, his deeply grieved father remonstrated with him upon the folly of such inconsiderate concessions, pointed out to him the probable injurious results of such conduct, and, as he hoped, convinced him of the errors, into which flatterers had, for their own selfish ends, betrayed him. He gave him instructions for his future guidance, and obtained from him a solemn oath to conform to those instructions, and dismiss the fawning sycophants who had misled him. But full confidence in his son's solemnly plighted word, the Emperor evidently did not feel; for he required the Dukes of Saxony, Carinthia, and Meran, the Patriarch of Aquileia, the Archbishops of Salzburg and Magdeburg, and the Bishops of Würzburg, Bamberg, Ratisbon, and Worms, to guarantee its observance. They pledged themselves for the King's good faith, engaging, in case of failure, at once to forsake him, and adhere faithfully to the Emperor. Such orders and regulations as seemed expedient were then decreed by the Diet; after which it was dissolved, and Henry dismissed to resume his regal functions.

CHAPTER VII.

FREDERIC II.

Affairs of Italy—Gregory and the Lombards—Fra Giovanni—Affairs of Germany—Magister Conrad and Heresy—Henry's Rebellion—Crushed—Henry's Conduct—and Doom.

[1232—1235.

FREDERIC now addressed himself to effecting such an arrangement of Italian dissensions, as might admit of his safely crossing the Alps. To reduce the Lombards by force, was an enterprise that, under all circumstances—even had he wished to run back from the agreement to abide by the Pope's decision between them—was out of the question. The only step he could, therefore, take, was to press for that decision; which he long did in vain. Gregory had accepted the office of umpire reluctantly, as alike unwilling to strengthen the Imperial power by the subjection of the Lombards, or to offend the Emperor by pronouncing them independent: and he suffered a year to elapse before he pronounced his verdict. This delay was, in itself, prejudicial to the Emperor; but the Pope, during its continuance, shewed so much disposition to befriend him, that it awoke no mistrust of the sentence. Gregory had expressed great dissatisfaction with the Lombards, for obstructing the Alpine passes, contrary to his injunctions; and, above all, for their toleration of heresy. He had even forbidden his own cities to enter into alliance with any member of the Lombard League; and the conduct of the respective parties during the period of expectation, seemed adapted to confirm his good-will to the Emperor, and his wrath against the Lombards. They, as though they had wished to provoke their condemnation, displayed nearly as much refractoriness towards the Pope, whom they confessed themselves bound to obey in spi-

ritual concerns, as against the Emperor, whom they still acknowledged to be their sovereign. Frederic, on the other hand, strove to conciliate the stern old Pope, by compliance with his desires, in everything short of revoking the rights and indulgences, granted to his, now loyal and trusty, Saracen subjects, whose value he had learned in the late war with the pontiff. But he readily agreed to send Dominican missionaries, both to Luceria and into the Sicilian mountains, to convert the Mohammedans. He hoped further to gratify the Pope, by his patronage of the religious Order of St. Lazarus, devoted to the care of the poor and the sick, especially of lepers. To this Order—paralysed, if not extinguished, by the fall of Jerusalem, but revived by Innocent III—he gave ample estates upon both sides of the Strait. Finally, at Gregory's urgent remonstrance, he renewed and sharpened his edicts against heresy and heretics, whilst affording him armed assistance against the unruly Romans.

Such being the attitude of either party, Frederic confidently anticipated a verdict, that should, by enjoining loyalty, and the very small portion of allegiance and obedience stipulated in the peace of Constance, support the Imperial authority in Lombardy. He was disappointed. Upon the 5th of June, 1233, Gregory, re-installed, thanks to Frederic, in the Lateran, pronounced his decision; and the Emperor, with no little surprise, again found himself treated upon a footing of complete equality with those, whom he regarded as his insurgent vassals. The sentence was, that the Emperor, conjointly with his son King Henry, should cancel the ban of the Empire, denounced against the members of the Lombard League, whether communities or individuals, revoke the sentences of punishment and penalties supposed to have been by them incurred, and make compensation for all injuries inflicted upon any of those members; that the Lombard League should do the like, in respect of the Emperor and the Imperialists; and should, moreover, equip, despatch, and for a year support, a body of 500 horsemen for the defence of the Holy Land—the time of such equipment and despatch remaining at the discretion of the Church. This requisition of 500 horsemen for Palestine, even if admitted to be an

aid, rather to the King of Jerusalem personally, than to the cause of Christendom, and especially of the Church, could not be considered as either a penalty for disobedient hostility, or even a demonstration of loyalty to the Emperor; it could be received only as the making good of a previous criminal breach of engagement, relative to the 400 ordered by Honorius. The Emperor-King was offended as well as disappointed; but his dissatisfaction did not assume an active form. He took no step beyond complaining to the Pope of the unfairness of his sentence; whilst the Lombards appear to have expressed, at least equal displeasure, at such equality with the sovereign they acknowledged. The relations between the Pope and the Emperor remained, for the moment, apparently, unaltered; the latter still hoping that the ungraciousness of the Lombards must, in the end, alienate their nearly as ungracious protector.

In order to allow time for this desirable change, the Emperor was anxious to avoid present hostilities, and earnestly recommended forbearance to the Ghibelines, most earnestly to the ambitious Romano brothers. But the recommendation was fruitless. The Pope had offended them anew, by a summons to answer the charge of heresy, grounded upon their toleration of heretics, before his tribunal. The summons merely angered them, but encouraged their Guelph neighbours to aggressive measures; and, the Romano family never being distinguished for longanimity, broils and feuds again ravaged the Trevisan march.

The Emperor's annoyance at this renewal of warfare was presently alleviated, by an apparent general lull in the pugnacious spirit of Italy, wrought by the eloquence of a Dominican friar. This friar was one Giovanni Schio, better known as Fra Giovanni da Vicenza, from the place of his birth; another of the phenomena of the Middle Ages. He was a man evidently of the best intentions, and endowed with very considerable talents, but not with a head of strength to bear the intoxication, of such success, with its consequent fame and power, as crowned his meritorious exertions. Fra Giovanni was early distinguished for the sound doctrine, powerful language, and immense moral influence of his

sermons. He inculcated forgiveness of injuries and of debts, together with reconciliation of enemies; he preached against usury, against the flowers and other ornaments with which women then, as since, used to decorate their hair. He visited divers towns for the purpose of so preaching, and everywhere was followed by crowds; the men and children singing hymns and burning incense, the women discarding their finery at his word, to wrap their heads in linen veils; whilst hereditary enemies wept and embraced. At Bologna the triumphs of his eloquence became yet more striking, although one in its result transcended the limits of what was desirable. His vehement denunciations of the guilt incurred by hard-hearted creditors, and especially by usurers, kindled such a flame of virtuous indignation against offenders of this description, that his congregation rushed from the church to the house of a noted money-lender, which they instantly demolished. More satisfactorily he effected reconciliations, not only between adversaries in divers private quarrels, but between the Bishop and the Municipality, who had long been at variance about conflicting rights and pretensions. He further prevailed upon the governing Council of Bologna, to release a number of prisoners from durance, and intrust him with authority, to alter and modify whatever he deemed objectionable in the laws of Bologna.

For much of this extraordinary influence at Bologna, Fra Giovanni was, according to report, indebted to the sudden appearance of the sign of the cross upon his forehead, whilst one day declaiming against opponents in the Council chamber. This appearance, how extraordinary soever, is far from the most incredible point of his history. It is conceivable that in some anomalous configuration of veins, the turgidity produced by great excitement, should, to prepossessed eyes, present the sign of man's redemption. Indeed such an appearance is recorded as borne, even in the first half of the seventeenth century, by an individual very unlike our friar. Graf Pappenheim—whose heroic feats of valour during the Thirty Years' War were so deeply dyed in atrocity, that, even in his co-religionists' estimation, hardly could they entitle him to any especial mark of divine favour—bore upon his

forehead, when enraged, the same appearance of a cross, formed, in his case, by two bloody swords.(231) But in regard to Fra Giovanni, the historical student is perplexed with the same, hardly-soluble problem, that has troubled him relative to St. Bernard—though intelligible enough when speaking of St. Elizabeth, a woman evidently of more sensibility than judgment, born for a dupe. Fra Giovanni was positively asserted to work miracles, and, unlike the Abbot of Clairvaux, seems to have believed himself so gifted. Nor are the miracles ascribed to him wholly of the species explicable by the delusions of strongly excited imagination; besides many such, he is explicitly stated to have recalled the dead to life, also to have forded rivers dryshod, with other such idle marvels, the truth or falsehood of which he could not help knowing.(232) And yet, perhaps, the most remarkable fact is, that these miracles do not rest solely upon the testimony of the Friar's zealous votaries, or even of his brother-Dominicans. They are gravely and distinctly recorded (his resuscitation of the dead included) by a nearly contemporary chronicler of the rival, early hostile, order of Franciscans;(233) nor does either their truth, or their supernatural character, appear to have been questioned by any of the Friar's contemporaries, friendly or hostile, except two individuals. Of these, the one, Guido Bonatti, an astrologer in the service of Ezzelino di Romano, provoked by Fra Giovanni's having called him a hypocrite, endeavoured to discredit his miracles, and was nearly torn to pieces by the people, as an impious heretic, or atheist. The other, did not come forward to impugn them, until Fra Giovanni's star had set. Then, Buoncompagno, a Bolognese, whether a professor of the University seems doubtful, but termed by the Franciscan Salimbeni the greatest of cheats,(234) prepared to turn the Dominican's miracles into ridicule. He invited the whole population of Bologna to see him fly down from the summit of a lofty church-tower; presented himself upon the appointed spot, fluttered an immense pair of wings with which he had equipped himself, and then, saying, "The miracle is wrought after Fra Giovanni's fashion," retired from the sight of the disappointed spectators. But this practical joke was, as before said, un-

attempted till after the close of Fra Giovanni's triumphant career.

With respect to the miracles themselves, actual fraud is so thoroughly incompatible with enthusiasm, such as Fra Giovanni's, that the wish to think him, like the sainted Landgravine, the first dupe, almost becomes father to the belief.

The attention of Gregory was attracted by the Dominican's reputation. Whether he had actual faith in the miraculous powers attributed to him, does not clearly appear; but he was, both from natural bigotry and from his great partiality to the mendicant Orders, at least as likely as the Franciscan Salimbeni, to be easily convinced of their reality. Be this as it may, the Pope judged the impressive and successful preacher, a proper instrument for the double purpose, of pacifying Tuscany and Lombardy, and of extirpating heresy there. In those days, to see hermits, or any member of the clerical body enjoying great celebrity for ascetic piety, interpose between belligerents, attempting and achieving the restoration of peace, was not altogether unusual. St. Francis had, in the year 1212, so appeased internal factious broils at Sienna; and Gregory IX commissioned Fra Giovanni, to mediate peace in Tuscany, between Florence and Sienna. In this he succeeded; and Gregory, well pleased, next ordered him to visit Lombardy, there, in like manner, to reconcile all enemies, public and private, Guelphs to Ghibelines, and towns to each other; and, when he should thus have established tranquillity throughout central and northern Italy, he bade him extirpate the heresy there prevalent. To facilitate his accomplishment of these great objects, he invested him with authority to relieve from excommunication, and to grant certain limited indulgences, to all who should devoutly listen to his sermons.

Fra Giovanni proceeded on his mission, still successfully, everywhere reconciling city with city, and the factious within cities, with each other. Such was the enthusiasm he excited, that in some of the towns where his visit had proved thus beneficial, the inhabitants, declaring that they could not submit to the loss of his presence and instructions, forcibly detained him; only when admonished by

the Pope of the guilt they were incurring, by their selfish endeavour to monopolize the advantages of a ministry, in which all Lombardy was entitled to share, suffering him to depart. When the Friar reached the Trevisan march, the especial theatre of his mission, the Paduans, taking their standard with them, as though for the reception of a sovereign, poured forth to meet him. They seated him, when met, upon the carroccio, and thus conducted him, in triumph, into the city. Thence he issued summonses for a general assembly of the north-eastern provinces, to meet upon the 29th of August, in a convenient locality, not far from Verona.

The Dominican's call was obeyed, by the Patriarch of Aquileia, by the Bishops of Treviso, Brescia, Verona, Vicenza, Padua, Mantua, Modena, Reggio, and Bologna; by the Marquess of Este, San Bonifazio, the Romano brothers, and other nobles of the district; by Podestàs and other magistrates, as representatives of many towns, all with their respective carroccios; and by individuals of both sexes, in such throngs, that some contemporary authorities have estimated the numbers there congregated at 400,000, whilst others pronounce them to have been innumerable. This multitude, for the most part, knelt or stood barefoot, in testimony of their reverent attention to the preacher.

Fra Giovanni ascended a lofty pulpit, here, in the open air, prepared for him; whence he harangued this immense congregation upon his usual topics, and, as writers who formed part of the throng aver, was distinctly heard by the whole.(235) He dwelt pathetically upon the sinfulness of war, bloodshed, and violence; upon the duty of Christians to abstain from everything of the kind, seeking redress of injuries from the legal tribunals, or from negotiation. His earnest eloquence produced its accustomed effect, only rendered, upon the present occasion, the more striking, by the numbers and the dignity of his hearers. The whole of this multitude wept, and the bitterest enemies embraced; Azzo di Este and Ezzelino di Romano, eminent above the rest, setting the example. The office of general pacificator and arbitrator of all existing feuds was unanimously offered to the zealous preacher, and by him joyfully accepted. He appeased the quarrels of many

factions, many cities, and many nobles; but the only one worth particularizing is the reconciliation he effected, to all appearance more permanently than by the embrace, betwixt the houses of Este and Romano. In proof, and as the seal of which reconciliation, he ordered Rinaldo d'Este, Azzo's eldest son, to be forthwith united in marriage to Alberico di Romano's daughter, Adelasia; further, as a taming measure, he required both Azzo and Ezzelino to enrol themselves citizens of Padua, and build family mansions within the town walls, wherein to dwell during their indispensable six months of city residence. These commands were implicitly obeyed; and Ezzelino, in compliance with another injunction of the Friar's, restored to the Paduans a portion of their territory which he had conquered. Upon any violator of the peace thus authoritatively and holily established, Fra Giovanni prospectively imprecated maledictions in the style of the age, (of which a specimen has been given)(236) including, besides all imaginable woes, evils, and annoyances to the criminal in person, contagious diseases to his flocks and herds, sterility to his vineyards, and orchards, &c., &c.

After such a scene, that Vicenza, the native city of the triumphant preacher, and Verona, severally invited him to visit them, investing him, whether spontaneously or upon his demand,(237) with authority yet more unlimited than had Bologna, to regulate their government, altering and amending their laws and institutions, cannot be matter of surprise. This office likewise, with unhesitating confidence in his own capacity, he joyfully accepted. The first use he made of his power, was, to enter upon the discharge of the second portion of the mission assigned him by the Pope; to wit, the extirpation of heresy. This he seems to have judged best done by extirpating its professors; to which end, at Vicenza, he burnt, as heretics, sixty persons of both sexes and of all degrees, though mostly of high station. And if the act, seemingly so inconsistent with the goodness and benevolence of the enthusiast, pained his heart, that pain would be the part of the transaction awakening remorse. Such horrors are the reproach of the times, not of the individual, or of the sect. In the same year more than threefold the holo-

caust offered up by Fra Giovanni, actually one hundred and eighty-three heretics, were burnt in France, in Champagne, under the canonized Lewis IX, then about eighteen years old, and his much eulogized maternal adviser, if no longer Regent, Queen Blanche; and Oldrado di Tressanò, a Lodesan Podestà of Milan, glad to conciliate Gregory IX by means so easy as burning heretics, recorded his *auto da fé* upon the walls of a palace in which the archives of the duchy are still kept; and where the words, *Catharos, ut debuit, uxit*, inscribed under his own effigy, may still be read. The Albigenses have been seen paying in kind when able; and in this same year 1233, another Dominican, preaching at Piacenza, was attacked by heretics, and with a second friar, stoned to death. The assailants were sent to Rome for punishment.(238)

But if the awful sacrifice of sixty human beings for an opinion, supposed erroneous, by a benevolent man, were in those days no proof of insanity, that the head of this strangely exalted Dominican was more than half turned, is nevertheless certain.(239) In affairs of government he was alike unstudied and inexperienced; whence, meddling with what he did not understand, his attempts at reform were simply mischievous innovations, in both cities provoking opposition and enmity. At Vicenza, the Podestà, virtually deposed by the authority conferred upon Fra Giovanni, endeavoured to resist his violent measures; whereupon a sedition ensued, houses were plundered, legal records destroyed, and the Podestà, with his official establishment, imprisoned. But assistance was sent from Padua—so lately idolizing Fra Giovanni—the sedition was quelled, order restored, and the usually ruling powers were re-installed; Fra Giovanni being, in his turn, thrown into prison. He was not, indeed, long held in durance, the authoritative intervention of the Pope procuring his early release; but the period, how short soever, had given time for the taunts and sneers of the rival Franciscans, and of the Benedictines—who regarded both mendicant Orders as upstart intruders—to take effect. The charm was broken. Fra Giovanni, upon recovering his liberty, instead of issuing from prison to an ovation, found his power completely gone at Verona, as at Vicenza. He

visited other places, where he had been almost worshipped, and was, at best, neglected. It was now that Buoncompagno derided his miracles; and, in the same strain, at Florence he was refused admittance into the city, lest he should overcrowd it by raising all the dead. From the stage, that he had for a moment so brilliantly occupied, Fra Giovanni disappears yet more suddenly than he had arisen; and if his name once again recurs, as will be seen, the apparition was no resuscitation.

The peace, established in north-eastern Italy, as had been hoped, to perpetuity, scarcely outlived the influence of the pacificator. The offspring of impulse, it fell before a more habitual impulse; and, ere the end of the year, feuds and broils were rife as ever throughout the country. Amidst these, their internal hostilities, the Lombards, highly favoured as they were by the Pope's sentence, still murmured and objected, refusing to comply with its requisitions. Their obstinacy irritating Gregory, the Emperor's hope grew strong that, in the end, his own views in regard to them would be adopted; a hope invigorated by some incidents of the following year, 1234. Frederic was well aware that amongst the aged Pope's causes of dissatisfaction with him, next, perhaps, to the gaiety and somewhat Oriental character of his court, which, since Yolanthe's death may, perhaps, have been objectionably enhanced, ranked the publication of his Code. But being also aware that ever since its appearance the Pope had been preparing to give him battle upon this ground, with equal arms, he had never anticipated serious consequences from that offence. The papal chaplain Peñaforte had now completed his task; and Frederic flattered himself that the pontifical displeasure would be forgotten, when, in the year 1234, the antidote to the Sicilian Code appeared in the form of the new DECRETALS. The publication was justified by a proemium which stated, as one reason for thus superseding the former collection, that the said former collection contained contradictions.(240) A reason that might seem inconsistent with the papal claim to infallibility, but for the recollection that, for the Pope in Council only, does the Roman Church advance this claim. Considering the publication of the rival code, as the blow Gregory meant to deal in

the matter, Frederic, who saw the pontiff devoting his attention to concerns unconnected with the Empire or the Sicilies, hoped that this cause of dissatisfaction was sinking into oblivion, and no new incentive to dissension likely to arise between them. Concerns appertaining solely to the Head of the Church, such as the canonization of Dominic de Guzman—St. Francis had been canonized some three or four years earlier—and of Elizabeth of Hungary, and the contest with heresy, seemed to engross Gregory.

Of this Pope's views upon the latter subject something has been seen; but it will still be proper to turn a few years back, reverting for a moment to the south of France. The detailed narrative, which the origin and early conduct of the Crusade against the Albigenses—from their involvement with such a Pope as Innocent III, and their bearing upon his theory of the papacy—required, being no longer necessary, Gregory's less refined schemes for the conversion of heretics may be more succinctly despatched.

The Crusade had not succeeded in clearing Languedoc and Provence of heresy, or of those republican tendencies, which, yet more repugnant to kings and princes, seem to be the almost habitual concomitants of dissent from an established creed. The measures designed to effect this object, were therefore rendered more and more stringent. Innocent, although he had been misled into promulgating a Crusade against the Albigenses, had, in his Lateran Council, decreed that every possible facility for defence before the appointed tribunal, must be afforded to persons accused of heresy—a law never abrogated, but easily evaded. Honorius III, in order to stimulate the zeal of the orthodox against heretics, ordered the property, forfeited by their conviction, to be divided between the tribunal that tried the misbelievers, the informers, and witnesses against them, and the community in which they had been apprehended. But Gregory IX was the Pope who stamped upon these more and more inquisitorial proceedings the fearful character of the Tribunal of the Holy Inquisition, in which they, before long, eventuated. The Synod that, under his auspices, sat at Toulouse, A.D. 1229, first authorized the use of torture for extorting confession,

and the admission, against suspected heretics, of testimony rejected by ordinary tribunals as undeserving credit, with concealment of witnesses' names; and forbade physicians to afford suspected heretics their help, under any circumstances. Finally, this Synod interdicted the reading of the Bible to the laity. To superintend the execution of these tyrannical measures, Gregory uniformly made the business of the Dominicans, in whom his confidence was unbounded, and who, as trained for converting heretics, he deemed the best adapted for inquiries into heresy; the influence of these harsh laws upon the mind of those charged with their execution, has been apparent in their exaggeration by Magister Conrad. But remotely only can even Gregory be called the founder of the Inquisition, since the idea of a regularly organized tribunal of universal inquisition, does not appear to have occurred to him.

This Synod of Toulouse, it also was, that made the non-employment of Jews in any fiscal or magisterial office, an indispensable condition of Raymond VII's release from inherited excommunication, and readmission into the pale of the Church; as also into the undisputed possession of his cruelly reduced principality. And glad might he have been had this restriction been the whole price. But after his complete submission and supposed complete reconciliation, he was further compelled to give his only daughter to Lewis IX's brother, Alfonse Comte de Poitou, so settling his patrimony upon her and her husband, to the exclusion of any son he himself, then a widower, might subsequently have; that, in default of issue of this marriage, the King, as the natural heir of his own brother, should inherit the whole. A treaty of marriage was, at this moment, actually pending, between Raymond VII and Beatrice, youngest daughter of Raymond Berenger, Comte de Provence. But lest a son, the fruit of this marriage, should dispute the right of the Countess of Poitou to succeed to her father, or of the King to succeed to her, Lewis asked, and of course obtained, the hand of Beatrice for another of his brothers, Charles Comte d'Anjou. Thus if heresy were not extirpated, the princes who had tolerated it, were. But Gregory was less successful in his efforts to organize a new crusade against the still unextinguished spirit of the

Albigenses, though he offered the spiritual and temporal guerdons, of absolution from all sins, and exemption from payment of debts to Jews, during its continuance. There was now no principality to be conquered with the heretics.

But Gregory's intolerance had limits. If thus keen in the prosecution of known heretics, in the persons of the Albigenses, he did not sanction the proceedings of Magister Conrad against Germans merely suspected of heterodox notions. Those really insane persecutions had excited universal horror in Germany. The Archbishops of Mainz, Treves, and Cologne, so far interfered to check the Inquisitor's headlong course, that they admonished him to adopt some rational means of ascertaining, whether accused persons were or were not guilty. But in vain; Conrad changed not his practise. Equally in vain did Dominicans remonstrate with him, upon the odium that his violence was bringing upon the Order to which he was attached, as upon all investigation touching religious opinions. He went his way unheeding. And now, a Diet held by King Henry at Mainz(241) took upon itself, with the approbation and concurrence of the above-named three chief prelate-princes of the Empire, to examine into these inquisitorial operations. There, before the assembled Princes of the Empire, one of their number, Graf von Sayn, who has been named, as, only by a mendacious confession of heresy, penances, and the sacrifice of his hair, escaping death at the stake, presented himself in this degraded plight, stated his case, one amongst many, averred his innocence of heresy, and declaimed, with the vivid rhetoric of passion, against the crimes daily perpetrated in the name of religion. His accusers, without making any attempt to substantiate their accusations, slunk away, and the Earl was unanimously acquitted, as were many other persons charged with heresy. The Bishop of Hildesheim was, moreover, reprimanded for his precipitation in preaching a crusade against heretics.

The decrees of the Diet were immediately communicated to the Pope, together with a report by the prelates, of the irrational method, or rather absence, of investigation, in Magister Conrad's proceedings, and a prayer that his Holiness would be pleased to revoke the much-abused

powers, intrusted to that injudicious fanatic. Gregory, who, in his inexorable severity, desired to be, and doubtless, believed himself, strictly just, at once complied with this prayer. He despatched to Germany a bull revoking Conrad's powers; and, as though he had, upon this occasion first perceived, both the danger of intrusting such power to fallible mortals, and the inefficiency of such means for influencing opinion, he ordered another to be prepared, enjoining leniency towards suspected heretics, and the use of argument rather than violence to convince them that they were in error.

It is difficult to repress a regret, that the arrogant as obstinately furious, persecutor, Conrad, lived not to know himself condemned, by the only authority he acknowledged; but the very fate he had provoked, spared him this well-deserved mortification. Regardless of the censures of the Diet, and confident in the favourable event of the appeal to Rome, he not only went on, burning or disgracing every individual accused of heresy, but actually preached a crusade against the reproving Archbishops, as hypocritical priests, or cowardly renegades. Amidst his atrocious triumphs, his presence was required at Marburg; and, still confident of the Pope's approbation, he set out, with his escort of executioners, for that place. Upon his journey, he was waylaid by the relations and vassals of those, whom he had given to the flames for denying their heresy, with the noblemen, whom, like Graf von Sayn, he had disgraced, accompanied by their relations and vassals. This exasperated band, upon the 20th of July, 1233, attacked and slew him and his companions;(242) and, far from repenting of the crimes, thus lawlessly punished, he died, it is to be feared, in proud confidence of falling a martyr to religion.

So highly was this deed of vengeance approved throughout Germany, that, in the next Diet, a proposal was seriously made, to complete it by exhuming the dead Inquisitor, and burning his corse as that of a heretic. Happily, this extravagant mark of reprobation was negatived; and the reaction of Conrad's monomaniac bigotry upon compatriot ecclesiastical policy, was purely beneficial. A law was now passed assuring to persons accused of enter-

taining erroneous opinions upon questions of religion, a regular, legal trial: so that, even to the absurd atrocity of this persecution, may Germany be mainly indebted for her exemption from the Tribunal of the Holy Inquisition.

Very different was the effect upon Gregory. The slaughter of a Priest, how crimininally unclerical soever, the conduct provoking the lawless deed, was a sacrilegious outrage, not to be overlooked or forgiven. That the provocation had been great, he, indeed, tacitly acknowledged by not insisting upon the avengers' death at the stake, or even upon the scaffold; but simply sentencing them to perform a tolerably severe penance. This was a pedestrian pilgrimage to Jerusalem, barefoot and bare-backed, with ropes about their necks, and rods in their hands; which rods they were to offer every priest they met, inviting him, whilst confessing their crime, to scourge them. Unfortunately this expiatory pilgrimage, and the sudden stoppage of the Landgravine's canonization,—with which, prior to this burst of rage against everything German, he was about gratifying Landgrave Conrad, the Teutonic Knight,—were not the only effects, apparent in Gregory's conduct, of the lawless justice executed upon the persecutor, whom he himself condemned. It at once, and permanently, overclouded the faint dawn, of clemency in the heart, or of good sense in the head, of the aged pontiff. Not only did he indignantly tear in pieces the bull, ordering the substitution of argument for the flames, he likewise presently sanctioned a new crusade against German heretics of a different description.

These pseudo-heretics,—they do not appear to have dissented from any dogma of the Church of Rome, or to have objected to any rite, or indeed, to anything except the payment of tithes—were a tribe of Frieselanders, named the Stedinger. They inhabited some lowlands of the Westphalian sea-coast, between Bremen and Oldenburg; recovered from the sea, and preserved from inundation, by dykes, laboriously constructed and maintained. Amongst these Stedinger, as amongst the Frieselanders in general, much of the original liberty and moral equality of the German forests was retained; feudalism, with its services, burthens, and distinctions of ranks, being

scarcely known. All were freeholders, living each upon his own land, paying no tithes, and owning no superior but the Emperor, as head of the Empire. The Earls of Oldenburg had long striven to reduce them to vassalage; the Archbishops of Bremen had, as long, meditated their subjection to the usual church claims; whilst they sturdily withstood every invasion of their hereditary rights and exemptions. Amongst these freemen, a petty but revolting incident, about this time, produced a sudden explosion of the antagonistic elements.

A priest of the district, offended at the very small offering made at the altar, by a female communicant, put the piece of coin she had presented into her mouth, instead of the consecrated wafer; and the religious terror caused by her inability to swallow the supposed host, was succeeded by a burst of rage, on the part of her friends as well as herself, when the substitution was discovered. The whole tribe rose against the clergy. And now these rude, but hitherto inoffensive people, were accused of worshipping frogs and waxen idols, as of all the indecent absurdities, then habitually laid to the charge of heretics and witches. Gregory believed the incredible accusations, and commissioned the Archbishop of Bremen to preach a Crusade against the Stedinger. The Duke of Brabant, the Earls of Oldenburg, Holland, Guelders, Cleves, and Lippe, took the Cross, and at the head of 40,000 men, invaded the province. The Stedinger defended themselves resolutely, but they were too few permanently to resist such an army; and, after losing 4000 of their small number in battle, were compelled to acknowledge the Earl of Oldenburg as their feudal Lord, and to pay tithes to the Archbishop, or his clerical deputies. Those who still refused to submit to such a change in their condition, fled southwards to the home of the great body of Frieselanders, whose numbers enabled them to maintain their old institutions.

In Italy, meanwhile, Frederic's prospects were brightening. The Pope, still dependent upon his vigorous support for keeping his ground at Rome, when the paroxysm of fury, caused by the murder of Magister Conrad, had subsided, resumed his previous spiritual avocations. The canonization of St. Dominic being completed, the affairs of

the Franciscans, then tenfold the numbers of the Dominicans, engaged much of his time and thoughts. They had elected, as the second Father-Guardian, or General of the Order, Elias of Cortona, a very superior man, who cannot without some surprise be found enrolled amongst them, and so approved by them, as to have been chosen their Superior. The piety of Father Elias, though fervent, was free, seemingly, from fanaticism; his mind was highly cultivated, and his manners were polished, according to the notions of the age. He invited a German architect, named Jacob, to Assisi, there to build the beautiful church dedicated to the sainted founder of the Order;(248) and, as might be anticipated, he endeavoured to introduce learning, and some little refinement amongst the Minorites. As might also be anticipated, the Order at large revolted against such an innovation upon, or rather such a contradiction to, the very spirit of their Rule, and deposed their too-gentlemanly Father-Guardian. He appealed to the Pope, and, what was less to be anticipated, the austere Gregory favoured the polished innovator, reinstalling him in his office. Conjointly with the Emperor, the Pope was now eagerly engaged in planning a new Crusade, to take place at the approaching end of the truce with the Sultan of Egypt; and the Patriarchs of Jerusalem and Antioch had been summoned to assist the deliberations with their local knowledge. The discussion was abruptly terminated by the arrival from Germany, in lieu of the reinforcements which—the Lombards having at length freed the passes—were expected by the Pope and the Emperor, of tidings, grievous to Frederic both as a father and as a sovereign.

Whether the paternal remonstrances at Aquileia made any impression upon the young King, may be questioned; but if they did, it was quickly effaced by a return to the exercise of authority, and to the dulcet sounds of flattery. Henry, disappointed in his hopes from the princes, now addressed himself to courting the cities; but in this effort he yet more signally failed. The loyalty of the German cities, well satisfied with the steady, if slow, progress they were making in wealth and civil liberty, under the Swabian Emperors—determinately as the dynasty has been accused of hatred, rather than chivalrous contempt, for the

industrial classes—was not to be shaken or seduced. This second failure was insufficient to damp Henry's sanguine hopes. The year immediately following his interview with his father, as if in the very wantonness of defiance, he attacked Duke Otho of Bavaria; and persisted in hostilities, despite the Emperor's positive commands to make peace, despite the interposition of the Archbishop of Salzburg to inforce, or by mediation to facilitate, the execution of those commands. The disobedient son, perhaps, laid "the flattering unction to *his* soul," that his conduct was justified by success; for, in the end, he compelled the Duke to submit to his terms, giving his eldest son as a hostage.

Henry is supposed to have been completely intoxicated by this triumph, coming upon his exasperation at the renewed attempt to place an imperial check upon his follies. He has likewise been supposed really apprehensive, from Frederic's taking the six-year-old Conrad with him, when invited to visit the Pope at Rieti, of a design to substitute this younger brother for himself.(244) Whichever were his motive, Henry, in 1234, put forth a manifesto justifying his own actions; and convoked a Diet, from which he hoped to obtain a sanction of his pretensions, to meet at Boppart upon the Rhine. There, he boldly asserted that, as King of Germany, he was wholly independent of the Emperor-King of Sicily, and employed arguments, prayers, bribes, and threats, to induce the assembled Estates of the Empire to acknowledge and support these asserted rights. But although there were present Guelph partisans, always glad to weaken, by dividing, the sovereign authority, and dissatisfied spirits, athirst for change, the young King's unfilial revolt appears to have shocked the moral sense of all. Even the Duke of Brunswick, upon whom he had probably reckoned, as ready to join in any rebellion that might help him to keep possession of the territories, claimed by the Emperor, in right of Palsgrave Henry's daughters, was too prudent to risk irritating his antagonist and judge, by taking part in a rash and ill-organized insurrection.

Henry's only ally, amongst the more powerful princes, was his brother-in-law, the Duke of Austria, who—still

withholding the portion of his sister, Queen Margaret—was, in consequence, already on bad terms with the Emperor; whilst Henry would have forgiven the debt, in consideration of active support upon the present occasion. But such support Frederic the Combative was then little able to afford him. This valiant, talented, and active prince might, perhaps, have proved a better ruler, had he not, at his accession, when not yet twenty, been exasperated by an attempt to take advantage of his youthful inexperience. His father, Leopold, having died at San Germano, whilst mediating between the Pope and the Emperor, the Regent, to whom, when obeying his Sovereign's summons to Italy, he had committed the government of his duchy, endeavoured, at his death, to seize the principality. The rebel seems to have been very generally supported, some of the heir's faults having, probably, already become apparent. Duke Frederic quelled, but never forgot or forgave the rebellion. His reign was characterized by tyranny, violence, and licentiousness, that, keeping him constantly embroiled with his vassals and his neighbours, deprived him of the influence his predecessors had enjoyed in the Empire. He was thus entangled, at the moment when his royal brother-in law called upon him for energetic assistance. His Duchess, a daughter of Theodore Lascaris, not having brought him a child in four years of marriage, he divorced her to wed a daughter of the Duke of Meran. But the repudiated Duchess was sister to the Queen of Hungary; and Bela IV naturally resented such treatment of his imperial sister-in-law. He invaded Austria, and compelled the Duke to purchase peace by considerable sacrifices; a humiliation, which the angry prince justly imputed to the lukewarmness of his own vassals and people in his cause. How, indeed, could he hope for glowing loyalty, he who, in addition to oppression and extortion, was guilty of outrages upon female purity, such as seem proper only to the tyrants of antiquity. One recorded instance of his style of love-making, when seduction failed, must be given. His amorous solicitations being repulsed by the virtuous and beautiful wife of a Vienna citizen, he apparently submitted to his defeat, and desisted from the pursuit. Then, when her mistrust was completely lulled, he gave a ban-

quet to the citizens of Vienna—he affected preference of townsmen over the nobility—to which she and her husband were, of course, invited with the rest. And at this banquet, before the face of her husband and his fellow citizens, she was, by his armed servants, dragged away to his chamber, whither he followed her.(245) An immediate insurrection was hardly prevented;—and shame to Vienna that prevented it could be!

Thus, though the Duke of Austria declared for King Henry, so very few princes or great nobles followed his example, that the royal son really stood all but alone in his rebellion. The Margrave of Baden hurried off to southern Italy, to acquaint the Emperor with the urgent necessity for his presence in Germany, consequent upon his son's revolt.

Henry's next Diet was attended by scarce any prince or noble of consequence, except the Bishops of Würzburg and Worms; yet, undismayed, he persevered in his criminal course. With the help of what may best be termed his faction, he endeavoured to coerce the cities into neutrality at least, by forcing them to give him hostages. He successfully invaded the margraviate of Baden, and punished the Margrave's fidelity to his liege Lord and benefactor, by transferring part of his dominions to the Guelph family of Urach. But, whatever he professed, he now felt that he was disappointed of support, in the kingdom he claimed as exclusively his own; and sought, what may, relatively, be termed, foreign succours, in the alliance of those, whom he himself must have esteemed rebels. In the winter of this same year, 1234, he proposed to Milan a treaty, offensive and defensive, between himself and the Lombard League.

As to the negotiators, German historians differ; but whether the mission were undertaken by the Duke of Austria, or intrusted to Marshal Anselm von Justingen and a Canon of the Würzburg Chapter,(246) upon the 17th of December, Henry's proposals were laid before the Milanese authorities; and the very next day, the 18th, a convention between the young King and the Lombard League was signed. By this instrument, the League acknowledged Henry as King of Italy, promising him the

iron crown, and binding itself, within the territories of the members, to assert and defend his rights; also, to obstruct the passage of the Emperor with an army. Henry, on the other part, recognised the Lombard League in its fullest extension and development, renounced most of the few imperial rights reserved by the Peace of Constance, declared the enemies of the League, *i. e.*, the Ghibeline cities and nobles, his enemies, and bound himself neither to conclude a separate peace, nor to demand from the members of the League, new taxes, troops, hostages, or pledges of any kind:—thus recklessly sacrificing his own future rights, to further his present criminal purpose. The reciprocal oaths to the observance of these terms were to be repeated at the end of ten years, should Henry not have become Emperor within the time. The members of the League whose names appear to this document are, Milan with her Podestà, Manfredi di Cortenuova, Brescia, Lodi, Bologna, Novara, and the Marquess of Montferrat; whence may be inferred that deputies from these parties being present at Milan, took upon themselves to bind their constituents to renew a war, so recently terminated by the decision of the supreme Pontiff, without waiting to consult them. The other members, seemingly, acknowledged themselves bound by their colleagues' act, with the single exception of one city. Faenza rejected the treaty as iniquitous.

Henry, when informed of the satisfactory result of this negotiation, sent an embassy to the Pope, commissioned to make his alliance with the Lombard League known to his Holiness, and invite him to join the coalition. Gregory, whatever his inclination, would neither sanction a son's unnatural rebellion, nor, at that time, quarrel with his imperial protector. He indignantly repelled the invitation, and, upon the 13th of March, 1235, addressed an epistle to the Princes and Prelates of Germany, in which, after eulogizing the Emperor, and declaring that the most perfect union reigned between that monarch and himself, he expresses horror of Henry's unfilial conduct, exhorts them, instead of assisting him in the infamous attempt, to which their blamable indulgence had too much encouraged him, to lead him back into the right path; and finally,

reprobating all confederacies against the Emperor, pronounces all oaths, binding such confederacies, null and void. He soon afterwards addressed a separate letter to the Bishops of Würzburg and Augsburg, and the Abbot of Fulda, reproving them for having abetted the sinfully ambitious views of King Henry, and commanding them, unless he instantaneously renounced his flagitious designs, to excommunicate him, publishing the sentence throughout Germany. Such letters he could not have ventured to write, had Henry had the means of branding him with any sort of complicity in the acts he thus stigmatized.

The loyalty of the Princes of the Empire was confirmed, by the proof these papal acts afforded, that no such disunion, as could favour Henry's scheme, then existed between the Pope and the Emperor. Hence, when, early in the spring of 1235, the King besieged Worms, in resentment of its obstinate resistance to his seductions, the only prince who joined him was he who had an individual interest in this operation, namely the Bishop of Worms, expelled, as a partisan of Henry's, by the citizens. The city did not upon this occasion derogate from its ancient reputation of stout-hearted loyalty; and during its resolute defence, came tidings that the Emperor was on his road to Germany. But Henry relied upon his Lombard confederates for impeding, if not actually preventing, his father's progress; and only urged on the siege the more eagerly.

The son's hopes might have been in some measure realized, had the father attempted to lead an Italian army across the Alps. But to Frederic, making his way through hostile obstacles was no novelty. He knew his own immediate presence to be the one thing needful; and, confident in his influence for at once raising a German army, amply sufficient to crush this rebellion, hurried forward, with little more escort, than when he first sought his paternal kingdom; as then, eluding opposition by speed and skill. As then, he traversed the territories of his Lombard enemies before they were aware of his approach; and, also as then, was met on the northern side of the Alps by a loyal as warlike Abbot of St. Gall. He was next received by the Duke of Bavaria, as zealous, and more powerful; whose fidelity he rewarded and stimulated,

by affiancing his second son, Conrad, now not improbably his heir, to Otho's little daughter Elizabeth. Thus, already guarded by faithful German warriors, he reached Ratisbon; whither princes and prelates, as they heard of his coming, had hastened to meet him.

The Diet, thus assembled, pronounced the revolted son a rebel and traitor, deposing him from the regal station, to which, in his infancy, he had been elected; and the members justified the Emperor's reliance upon them, by instantly summoning their vassals in arms, to assist in putting their sentence in execution. At the head of the army, thus promptly raised, Frederic besieged his son's strong castles; whilst his trusty friend, Hermann von Salza, visiting the rebel, persuasively urged him to throw himself upon the mercy of his offended, but ever indulgent, father. This was no difficult task, Henry appearing to have been as abjectly depressed by the vicinity of danger, as he had been childishly presumptuous whilst it was distant. He was easily induced to raise the siege of Worms, and commission the Teutonic Grand-Master to sue for his imperial parent's pardon. Frederic II being evidently a kind father, the pardon was granted as soon as solicited, upon condition of the guilty son's pledging himself to renounce his treasonable designs, and, as security for his observance of his plighted word, surrendering all his castles, whether besieged or not.

Henry unhesitatingly promised whatever his father required; but endeavoured in every way to elude the fulfilment of his engagements, making various excuses and difficulties, to delay, at least, the surrender of his strongholds. He is said to have understood the pardon granted him as implying his reinstatement in the dignity he had misused; and such very probably was the Emperor's ultimate purpose. But, that any such promise, as Henry chose to understand, could, even by implication, be then made, was absolutely impossible. The blindest of doting parents could hardly, at once, have again confided power to a son, who had proved himself so unfit for the trust; again relied upon the oath of one so recently perjured, without some little preliminary trial of his professed reformation; and even had the father been thus weak, the concurrence

of a Diet would have been indispensable to re-elect a King that very moment legally deposed. But Henry, provoked by the disappointment of his irrational hopes, resumed, almost on the instant, the treasonable designs that, not in repentance but in cowardice, he had, for the second time, by a solemn oath renounced. He positively refused to surrender his strongest fortress, Trifels—the prison of Richard Cœur de Lion, when transferred from a ducal to an imperial jailer. He now refused to hear argument or entreaty from the previously successful negotiator, the Grand-Master; and was erelong accused of attempting to poison his father. Frederic's indulgence was now exhausted, and he imprisoned the suspected parricide. Publicly tried Henry was not: judicial proceedings were not then deemed as indispensable, as in more enlightened days, to the administration of justice; and no one, probably, dreamed of the Emperor's voluntarily exposing his family sorrows by such a course. When he himself was convinced of his first-born son's guilt, he committed him to the custody of the Duke of Bavaria, who confined him in the strong Palatinate Castle of Heidelberg. At a subsequent period Henry was sent to an Apulian prison, accompanied, at her own request, by his wife, Margaret of Austria, and their two infant sons; and again the family was moved from prison to prison, in that part of Frederic's dominions; for what reason is not explained.

The enemies of Frederic II charge him with this severity towards his eldest son upon his repentant submission, imputing the unfatherly conduct to his desire of substituting his darling second son, to the less beloved eldest.(247) But the epistles of Gregory IX prove beyond all question that the Emperor pardoned Henry upon his submission; and only when convinced, by his relapse into rebellion and attempted parricide—from which accusation he seems not to have cleared himself—of his incorrigibility, thus harshly punished him:—if the imprisonment were intended for more than seclusion from temptation to new crimes. The Margrave of Baden was of course immediately replaced in possession of the territories of which Henry had despoiled him.

CHAPTER VIII.

FREDERIC II.

Affairs of Italy—Gregory with the Romans—with the Lombards—Frederick's third Marriage—Legislation in Germany—The Duke of Austria—St. Elizabeth—Election of Conrad. [1235—1237.

WHILST the Emperor was suppressing rebellion in Germany, the Pope was similarly engaged in the dominions of the Church. King Henry's criminal ambition had, temporarily, deprived the Holy Father of the personal support of his official Protector, and disappointed him of the reinforcements, upon which both he and Frederic had relied, for quickly reducing the insurgents to obedience; but not deprived the pontiff of the warriors, whom the Warden of his See had previously brought to his aid. With these, to back his own indomitable resolution in wielding the thunders of the Church, he at length achieved the task left incomplete by Frederic. His first success was dissolving the association, formed, in imitation of the Lombard League, by several towns in the Papal territories; and this was a heavy blow to the Romans. They had originally looked to the cooperation of these confederates, for enabling them to compel, not only the revocation of the interdict, under which the Eternal City lay during the expulsion of the Pope, but perhaps the return of the Pope, to officiate as supreme pontiff in the rites of the Church, without pretending to the restoration of his temporal authority. And this was their real object; the same pride, that for ever urged them to revolt against the domination of a priest, finding its gratification, in beholding the acknowledged spiritual

Head of Christendom, officiate as their chief priest or Bishop. Disappointed both of this hoped for cooperation, and, by the sudden extinction of Henry's revolt, of the Emperor's supposed perdurable engrossment with the affairs of Germany, Roman resolution flagged under the continuous privation of the gorgeously imposing rites of their Church. The mutineers submitted to pay the price, at which alone they found the pompous ceremonies, that had taken the place of the sanguinary pleasures of the amphitheatre, recoverable. They invited Gregory to return to his basilica, his metropolitan palace, and the exercise as well of his sovereign authority as of his pontifical functions. He gladly accepted the invitation; and thus a reconciliation took place betwixt himself and his subjects, during the brief period of Henry's apparent reconciliation with his father, to wit, in May, 1235.

The members of the Lombard League had made no effort to support Henry's rebellion, though they demonstrated their complicity, by plundering all imperial messengers who crossed their territories, especially seizing any presents they might be carrying from the Emperor to the Pope and his other friends in Italy. The use they attempted to make of the diversion wrought in their favour, by their royal ally's operations, was to subjugate Ghibeline cities; but not even for this interest of their own, did they so concentrate their exertions as to insure success; which the usual disunion amongst themselves presently frustrated. So completely was the marvellous influence of Fra Giovanni's preaching now obliterated, that, despite the common object to be attained by the combination of their energies with Henry's, hostilities were rife as ever, in northern as in central Italy. Not only was Verona in arms against Mantua, Cremona against Brescia, Ravenna against Cesena, Bologna against Modena, Forli against Faenza, Florence against Sienna, &c.; but all these feuds, collective and several, in addition to the general war of the League against Ghibeline neighbours, could not glut the appetite of the Guelph cities of Italy for war. Civil war, yet more internal, reigned within the walls of many. As the towns prospered, and the trading class of their denizens grew rich, the democratic element gained

strength, and democratic ambition increased. The compromise mediated by Honorius III, between the original noble monopolists of municipal offices, and the non-noble candidates for magistracy, to which the former had so reluctantly submitted, no longer satisfied the latter. The erst excluded now claimed the monopoly in their turn; and in many places, riots ripened into civil war. At the time of King Henry's rebellion, Piacenza was the chief seat of this civic contest; nobility and commonalty there virulently persecuting, and alternately banishing each other. At Venice and Ravenna the intestine broils were rather between the clergy and the laity; and where this last feud was envenomed by the prevalence of heresy, it assumed a yet more sanguinary character; as at Mantua, where the Bishop was murdered, and twenty stabs were counted upon his dead body.

Gregory, though highly offended at the conduct of the Lombards, in thus nullifying a Pope's mediatory labours, resumed, and strove to render them more efficacious towards his great object. He had sent the Patriarch of Antioch to Lombardy, to remonstrate with the members of the League upon the guilt of violating solemn engagements, as they had done, by their alliance with King Henry, as they were even then doing, by their internal hostilities; a sin the more heinous, because impeding the defence of the Holy Land against misbelievers. Further, in July, when the respective rebellions of King Henry, and of the Romans were absolutely over, he solemnly admonished the Emperor and the German Princes, for the sake of Christendom, and more peculiarly of the Holy Land, to lay aside all dissensions, as well amongst themselves, as with other Christian powers, and devote themselves to organizing a Crusade. Frederic, on his part, professed his willingness again to refer the affairs of Lombardy to papal arbitration, provided his Holiness would, preliminarily, require the Lombards to pay 10,000 marks as compensation for the expense of the late civil war, waged or stimulated by them; and bind themselves to declare, by Christmas, their submission to, or dissent from, his sentence; thus precluding the endless delay and uncertainty caused by their evasions and equivocations; and

provided, further, he would pledge himself, should they again prove contumacious, to visit their contumacy with excommunication. As the bearer of this answer to the Pope's admonition, he sent Pietro delle Vigne to Rome.

Frederic could at this moment hardly be supposed much inclined individually to embark in a distant enterprise, of uncertain duration, though very willing to organize a Crusade. Besides having business, of various kinds, on hand in Germany, he had just celebrated a long-projected third marriage, with a princess who appears to have early acquired a stronger hold upon his affections, than either of her predecessors. He had been a widower since Conrad's birth, was barely forty years of age, and had, whilst remaining in Italy, in reliance upon his son's plighted word for future good conduct, consulted the Pope respecting a new matrimonial connexion. The Holy Father naturally approved of a measure, promising moral improvement in the Imperial Court; and named the English Princess Isabella, sister to Henry III, as a suitable consort. Before a step had been taken in the business, or even the imperial widower's own mind, apparently, made up as to his choice, the likelihood of such an union was noised abroad, alarming the King of France as to the possible consequences, of so intimate an alliance between the Emperor and the King of England, his immediate eastern and western neighbours. He endeavoured to prevent the nuptials that he dreaded, by causing Hungarian and Bohemian princesses to be proposed to Frederic, with larger portions—which he would supply—than the always embarrassed Henry III could, probably, give his sister. But Gregory's recommendation prevailed, contingently however, upon Isabella's personal qualifications proving such as the Emperor's fastidious taste required in his wife—a condition somewhat, if slightly, corroborating the idea that his illicit attachments were confined to his intervals of celibacy, that he proposed, as a husband, to lead a correct life. In November, 1234, whilst his faithless son was planning his overthrow, the prospective wooer had despatched Pietro delle Vigne, at the head of a dignified embassy to England, to look at the proposed bride, judge of her beauty, manners, and general character, and open

the negotiation or not, according to their decision upon these important points. In February, 1235, the embassadors reached London, where they were presented to Isabella; and, delighted with her charms of person and queenly deportment, unhesitatingly asked her hand for their master. It was naturally accorded; and they hailed her as Empress, placing the ring of betrothal upon her finger. Pietro then, in concert with the Council of the English King, settled the marriage contract; 30,000 marks were agreed upon as the portion of the Princess, with a penalty of 10,000 more in case of any delay in the payment; adequate domains in Sicily were in return assigned her as her dower, with a stipulation that she should, in widowhood, have the option of residing upon them, or receiving back her portion, with which to return home.

When the diplomatists reported the satisfactory discharge of their mission to the Emperor, they found him painfully occupied with his son's rebellion. But this, if matter of grief, was none of difficulty or embarrassment, and did not prevent his sending a more splendid embassy, headed by the Archbishop of Cologne and the Duke of Brabant, to escort the future Empress to Germany. The new embassadors, upon their arrival at the English Court, appear to have been yet more impressed by the absurdly extravagant magnificence of the outfit of the affianced princess, than their predecessors had been by her beauty. The vanity of Henry III was flattered by the imperial alliance, and, in order to show himself worthy of such a brother-in-law, he lavished upon his sister jewels and plate, under which last denomination were included numerous kitchen utensils, usually formed of humbler materials, the money wrung from his subjects for national purposes.

About the middle of May, Isabella landed at the mouth of the Rhine, and journeyed in much state as far as Cologne. For, in addition to the brilliant train, English and German, that had attended her from her brother's Court, a rumour that the French monarch designed, by the abduction of the bride, still to prevent the completion of the marriage, had induced Frederic to send a considerable

body of troops as her guard. Upon her progress, her beauty and gracious demeanour appear to have won her the hearts of her future subjects; but amidst these triumphs, Isabella was detained at Cologne, in the irksomely awkward position, of a bride awaiting an apparently cool bridegroom, whom she has sought. Frederic would not cloud his nuptial festivities with the deep gloom of his son's guilt and condemnation; and Henry's relapse into rebellion was nearly simultaneous with the landing of the English Princess. Hence, it was not till the month of July that he invited her to join him at Worms.

Thither she was then conducted, with the pomp suited to the occasion; and there, on the 20th of July, 1235, in the presence of four kings,(248) eleven dukes, thirty margraves and earls, and as many archbishops and bishops, the marriage rites were solemnized. The festivities, by which the celebration was acompanied, lasted four days, and are said, to have been unprecedented in magnificence, save by Frederic Barbarossa's Mainz Diet, A.D. 1184. It is upon this occasion that Frederic, the patron and lover of the arts, is averred to have dissuaded the princes from lavishing their wealth upon mimes and actors.(249) The drama, it will be recollected, being as yet hardly in its infancy, the mimes and histrions were probably mere buffoons, and the discountenancing them, evidence of refinement beyond his age, in Frederic.

The Emperor was charmed with his new partner, and dismissed her English escort with splendid presents for themselves, with others more splendid for his royal brother-in-law. He then arranged his Empress's court and household, with stately elegance, and, according to his enemies, in the Oriental or Byzantine style, which it will be recollected was regularly that of the Sicilian monarchy; and though he surely did not shut his English wife up in a harem, if Leo's opinion of the retired habits of German ladies be correct, the life of the Empress might be more secluded than that of a Queen of England or of France. But everything approaching to luxury, rude as such luxury may seem to the nineteenth century, was censured by yet ruder contemporaries, as effeminate innovation,

and, on account of the superior luxury of the East, was held indicative of Mohammedanism, or Atheism, which seem to have been thought nearly synonymous.

Within a month after his wedding, the Emperor held a Diet at Mainz; the most important for the business there transacted, and the most magnificent in the number and dignity of its members, of any that had sat since that memorable Mainz Diet of Frederic I. It was attended by all those of the wedding guests who were entitled to votes; and these are said to have amounted to eighty princes, spiritual and temporal, and 1200 nobles; all Germans, comprehending under that designation, the Netherlands, Lorrain, Franche Comté, then the *Frei Grafschaft* of Burgundy, Switzerland, Savoy, and probably the Arelat, in other words the remaining dislocated provinces of the old kingdom of Burgundy.

The first business transacted at this Diet was the formal deposing of King Henry from the duchy of Swabia, as from his regal dignity, and the solemn release from all the oaths of allegiance that had been taken to him; though whether this were the first, original deposal, the rendering a temporary act final, or only the legal ratification of the somewhat irregular act, of a less full and less formally convoked Diet, is not clear. The substitution of Conrad for his elder brother, was not proposed, whether, still to leave an opening for Henry's restoration to his birthright, if he should subsequently deserve such favour, or because the Emperor had painfully learned to dread placing so much present power in the hands of his heir, has been doubted. But the substitution, though not at this moment, took place too early to render either motive probable, suggesting instead, that the father had not yet made up his mind so severely to punish his eldest son. The duchy of Swabia appears, upon this occasion, to have been annexed to the crown, and some ducal cities made immediate, or Free Imperial cities.

The next business was the final settlement of the Welf heritage. Otho had by his judicious conduct during the whole of Henry's rebellious movements, both preparatory and ultimate, so recommended himself to the Emperor, that the King of Bohemia, the Margrave of Brandenburg,

the Landgrave of Thuringia, and the Patriarch of Aquileia, were authorized to pronounce between the conflicting claims, of the nephew and of the daughters of the Rhine-Palsgrave. The arbitrators laid their verdict before this Diet, which, with the Emperor's concurrence, adopting it, decreed, that the Emperor should relinquish his purchased claim to any Welf allodial property, in consideration of Otho's renouncing all pretension to the duchies and other fiefs, forfeited by his grandfather, Henry the Lion—the family had never yet legally done this—and surrendering the whole allodial property, whether contested or not, to the Emperor, to be received back in vassalage. The whole, so surrendered, was, by the Emperor and the Diet, constituted the duchy of Brunswick Lüneburg, heritable in both male and female line, and as such granted to Otho—Frederic I had merely created a Duke, a duchy he then could not. In return, Otho was required further, to renounce all pretensions to jurisdiction over the bishopric of Hildesheim, and to accept the compromise relative to the county of Stade, ordered by the Diet between him and the Archbishop of Bremen. Personally, Frederic, who rather enlarged than sought to contract the cessions to Otho, derived no advantage whatever from this arrangement; and the only benefits to the crown were, lessening the independence of a possessor of extensive allodial property, by its transmutation into a fief, and precluding the Welf family, by their own act, from reviving any claim to the forfeited duchies of Saxony and Bavaria.

These were transactions of great importance to the existing generation; but Frederic intended this Diet to confer a more lasting benefit upon Germany, by rendering to that country, as far as the great difference of circumstances might admit, the same service that he had recently rendered to his southern realms; namely, regulating, improving, and fixing, both the rights of the several classes of the German nation, and the laws under which they lived. He did not propose to introduce a complete code, or to attempt, by depriving the more than half independent great vassals of those regal privileges which made them rival princes, to reduce them to the condition of opulent and powerful noblemen, as he had done in the Sicilies.

To have even suggested such reforms would have been to sacrifice the possible good by aiming at the impossible. Circumstances, as has been seen, had, since the early death of Henry VI, so favoured the ambition of the German princes, that they already held by prescription, a very decided degree of territorial sovereignty; in which, all, and above all the prelate-princes, were passionately supported by Rome. Extraordinary indeed must the concurrence of propitious circumstances have been, that could have enabled the most judicious, energetic, and potent Emperor, to deprive them of this sovereignty, again subjecting them to the regular control of monarchial authority. And energetic as Frederic II undoubtedly was, wise, and statesman-like as were his views, far different was his position, with such a pontiff as Gregory IX in St. Peter's Chair, and weakened rather than strengthened by his maternal heritage, as long as the independent, ever hostile, Lombards, so inconveniently separated his southern from his northern dominions.

The chief objects of the laws which Frederic laid before the Diet were the repression of private warfare, by the substitution of judicial proceedings to arms; the repression of usurpation and encroachment, by the regulation of conflicting rights and claims; the restriction and regulation of those independent jurisdictions, lay and ecclesiastical, which could not be suppressed; the protection of church property against the encroachments of the hereditary noble Stewards of sees and cloisters; and restrictions upon the use of the ban of the Empire, together with the enhancement of its efficiency when legally denounced.

To effect the first of these objects, immediate recourse to arms, except for actual, evidently indispensable, self-defence, was positively interdicted. In all cases of dispute or of injury, redress was ordered to be sought from the established legal tribunals, under pain of forfeiture of all claims, otherwise, *i.e.* by arms, asserted, together with two-fold damages for any mischief consequent upon hostilities thus lawlessly begun. Only a failure to obtain justice from the proper tribunal, after due application, could thenceforward justify recourse to arms; and in such case, hostilities were to be preceded by a declaration of war,

with certain specified forms and delays. To a wanton breach of the realm's peace (the *Landfriede*) or the violation of these rules, divers gradations of penalty, varying according to circumstances, from fine and the public carrying of a dog, to the loss of a hand, the ban of the Empire, and, where homicide ensued, forfeiture of life and honour, were annexed. For the administration of the laws connected with this subject, and adjudication between princes, a new tribunal was instituted, presided by an Aulic Judge, who, save in case of misconduct, was to hold his office for the space of a year, during which he was to sit every day, Sundays and holidays excepted, ready to investigate and decide upon all complaints and other questions brought before him. His authority was to be absolute, his sentence final, in all matters, save such as should affect the Princes of the Empire or great vassals, in life, limb, prerogative, or fief; in which cases a right of appeal to the supreme tribunal of the Emperor, presided by himself, was reserved to the parties. To this new Aulic Judge a secretary was assigned, whose duty was accurately to record the proceedings of his Court; and this secretary was to be a layman, in order that he might be answerable for his conduct with his life. The first provision of the kind perhaps; and if so, this tribunal offers the germ as well of ministerial responsibility, as of the Aulic Council of Vienna, long so influential for good and for evil in the affairs of the Empire.(250)

The great importance to the progress of civilization of the object so generally, and long so unsuccessfully pursued by sovereigns, as the substitution of judicial proceedings for warfare between neighbours, required some detail respecting the laws passed for effecting it. The rest of the legislation of the Emperor and Diet, the views and tone of the legislator having been shown in his Sicilian Code, where he was less fettered, may be more concisely dealt with. The only step taken towards the abolition of the inconvenient as numerous private jurisdictions, was, that any neglect by a noble in the regular holding his court of justice, as also the pronouncing of an unjust sentence, was henceforward to incur a fine; and repetition of the offence, forfeiture of the jurisdiction. The imposition of new tolls,

or the exorbitant raising of such as were legally imposed, the establishment of unlawful mints, the dilapidation, or neglect to repair roads, bridges, and the like, were strictly prohibited; some, as usurpations of rights of sovereignty, others, as wrongs to the inferior classes. The chartered rights of cities, including that to some degree of self-government, were formally recognised and ratified; but their encroachments upon the rights and lands of their noble or ecclesiastical neighbours, particularly their enfranchisement of villains, by making citizens of them against the will of their Lords, were checked; and the forming of confederations, without the express permission of the Emperor, was explicitly forbidden—Frederic very naturally dreading the rise in Germany of anything analogous to the Lombard League. Many of the laws of the Sicilian Code, indeed all that the Estates of the Empire were likely to admit, were introduced here, as those for the prevention of wrecking, for the restriction of the suzerain's control over the marriage of vassals, to the case of an heiress wedding an alien, for the securing the property of dying foreigners to their natural heirs, with some few others of the same description. Laws published by Provincial Diets for substituting the examination of witnesses to trial by wager of battle, or other ordeal, were adopted as general laws of the Empire. Severe punishments were denounced against all kinds of robbers, and likewise against receivers of stolen goods. That valuable though still contemned class, the peasantry, was especially protected against plunder; even in the prosecution of hostilities, any injury to a husbandman was peremptorily forbidden. Severity, here as in Sicily, was the character of the punishments; though here likewise rather by retaining old sanguinary dooms than by adding new; and again, here likewise, no respect for social position was suffered to interfere with their infliction. For instance, a great and powerful noble, the Graf von Pfirz, was compelled to carry a dog, publicly, a distance of two miles, for robbing the Bishop of Basle, and imprisoning him to extort a ransom. The only law of objectionable severity, was one, which the absolute necessity of conciliating Gregory IX, appears to have extorted from Frederic; viz. one dooming

convicted heretics to the stake (251) —the usual punishment, indeed, of heresy, as of some other offences.

All these various laws were submitted to the Diet; they were fully approved, and being enacted by the Estates of the Empire, are generally believed to have been written and promulgated in the German language; the first occasion of its being so honoured. The previous custom had been to write all laws, all decrees of every Diet in Latin, translating them, verbally, that they might be intelligible, to many of those who enacted, and nearly the whole of those who were to obey them. The novelty was welcome to the nation, and obedience was generally and gladly sworn to laws every one understood. The innovation did not prove permanent; Latin again superseding the mother tongue in legislation—and indeed critical investigation has induced a suspicion that even now it was not excluded,(252) the fact being that these laws, like the Sicilian Code, were published in two languages simultaneously. Yet even so, this may be considered as the authoritative installation of the national language. Frederic's cultivation of Italian, or as it was then called, Sicilian, is not therefore to be ascribed solely to its sweetness or the associations of his childhood; he had probably noted the advantage of cultivating the mother tongue, in the Romance-speaking Arelat, and wished his Sicilian and German subjects to enjoy the same advantage.

The Emperor seems upon this occasion—but as his own separate work, in which the Diet had no concern—to have made a reform of the German coin,(253) as complete, in one respect, as that of the Sicilian; to wit, in its intrinsic value. No especial beauty of any new die is mentioned.

The labours of the Diet were closed by a solemn thanksgiving for the suppression of the late rebellion, and the pacification of nearly all dissensions amongst the Princes of the Empire. This happy event was celebrated by a tournament, at which, in addition to the chivalrous contests, the German Poets of the day attended, to joust in song. If Frederic did not take part in these poetic combats, as he habitually did in those of which the weapons were the softer, and to him more familiar, syllables of the South, he listened attentively to the lays of the cham-

pions; encouraged, criticized, and bestowed prizes; all in proof of his wish to exalt the vernacular tongue in Germany as in Italy.

The Emperor now seems to have taken his bride upon one of the usual imperial progresses through the realm. At Haguenau, in Alsace, said to have been his favourite German home, they were met by Raymond Berenger, Comte de Provence, and Raymond VII, Comte de Toulouse, who attended to do homage, the first for his whole county, the second for the marquisate that he held in Provence. But Raymond Berenger is averred to have had a second object in his visit to the court of his suzerain. At the age of fifty he had not yet been knighted, hindered by a traditional superstitious belief, that, in his family, this ceremony was speedily followed by death. But two of his daughters were married to Kings, namely, Margaret to Lewis IX of France, and Elinor to Henry III of England; and those monarchs conceived the want of the dignity of knighthood in their father-in-law, degrading to themselves. To please his royal sons-in-law, therefore, the Earl now asked and received knighthood from the hand of his Imperial liege Lord; who conferring it in the fulness of his power and magnificence, little dreamt of the evils impending over his posterity from a younger daughter of his honoured vassal. Nor did he, probably, to the end of his life; although Raymond Berenger himself gave him erelong the measure of his respect for the new tye—universally held almost filial—binding him to his suzerain. Another part of the business of this progress, seemingly less suited to what would now be called a wedding excursion, was the reformation of the Abbey of Lorsch. This was one of the amply endowed, princely cloisters of Germany—as far back as the nuptials of Henry IV, in the eleventh century, an Abbot of Lorsch attended at the head of 1200 vassals—and wealth had, in the course of time, produced the gradual relaxation of monastic discipline. The Abbey being now notorious for dissoluteness, Gregory IX had commissioned the Emperor to reform it. The Emperor called the Archbishop of Mainz to his assistance, but their joint endeavours were fruitless. They found the evil so ingrained, that the only remedy Frederic

could ultimately devise, was, with the Pope's concurrence, to cede the abbey, deprived of all privileges and exemptions, to the Archbishop, for incorporation with his metropolitan see, and subjection to his control. The prelate, a friend to strong measures, immediately dispersed the monks amongst the poorest monasteries, of the austerest Orders, in his province; and gave the abbey, stripped of the greater part of its possessions, to the ascetic Cistertians.

Whilst all this was passing in Germany, Landgrave Conrad was at Rome, pressing the Pope to complete the interrupted canonization of his sister-in-law. He was seconded by the interest and influence of the whole Teutonic Order, and, by the end of the year—Gregory's anger against everything German having subsided—his expiatory desires were gratified. This accomplished, he proceeded to celebrate his penitence with his triumph. He now dedicated a magnificent church, that he was building at Marburg, to St. Elizabeth; and in the month of March, 1236, having completed the edifice, he with all possible ecclesiastical pomp, withdrew the remains of the new Saint, from their humble grave, consigning them to a monument in this, her own, church. The princes, lay as well as ecclesiastical, of Germany, thronged to Marburg to witness, or to take part in, the ceremony. Frederic and Isabella attended, and he laid his crown upon the coffin, saying, that, not having been permitted to crown her as his Empress on earth, he would crown her as an immortal Queen in Heaven.(254)

Of the few dissensions that in Germany survived this Mainz Diet, the chief were those of Frederic Duke of Austria—who had not chosen to share in its toils—with his neighbours, his vassals, and his own family, he having latterly treated his relations no better than the rest of his people. That, in the boundless rapacity, generated by constant want of means to gratify his ambition and indulge his licentiousness, he had withheld the portion of his eldest sister, Margaret, has been stated. This having produced wrath, and menaces of compulsion, on the part of the Emperor, at the marriage of his younger sister, Constance, with Henry the Illustrious, Mar-

grave of Misnia, he endeavoured to obviate subsequent disputes upon the subject. To this end, in the middle of the wedding-night, he presented himself, sword in hand, beside the nuptial bed, and thus extorted from the unarmed youthful bridegroom, then only sixteen years old, a formal renunciation of the portion assured to the bride in her marriage contract. Lastly, as the climax of his family offences, he had despoiled his mother, the widowed Duchess, of the domains assigned her as her dower, even threatening her with personal ill-usage in case of resistance. The indignant matron sought, first an asylum at the Court of Bohemia—where she had a granddaughter married to the heir-apparent—and then justice at the Emperor's. Duke Frederic, accused by kindred, nobles, clergy, citizens, and neighbours, had been summoned to a Diet, convoked to meet at Augsburg, in November, 1235, there to vindicate his conduct, or satisfy his accusers. This summons he altogether disregarded; and now the Diet, receiving from the Emperor the additional accusation against the Duke, of complicity in King Henry's rebellion, laid him under the ban of the Empire; explaining that the sentence was pronounced, not for his contumacious disobedience to the Diet, but, "for having degenerated from the virtues of his ancestors, persecuted his relations, wounded the honour of the Empire, broken the realm's peace, vexed the rich, oppressed the poor, substituted arbitrary power for right and justice, and, in his presumptuous folly, violated the laws of God and man." The execution of the ban was committed to the Duke's neighbours, the King of Bohemia, the Dukes of Bavaria and Carinthia, and the Bishops of Passau and Freising, with the addition of the Bishop of Bamberg, perhaps as, geographically, a disinterested party. They entered the duchy in arms, in the spring of 1236, and, favoured by the prevalent disaffection, seemed likely to be, erelong, its masters.

Frederic himself was now recalled to Italy. During the preceding autumn, the Pope had vainly endeavoured to induce, either the Lombards to join in the Emperor's reference of their dissensions to his arbitration, upon the before-mentioned conditions, or the Emperor to extend

the time he had fixed for their answer. The Lombards, evidently more disposed to resume hostilities than to run the risk of arbitration, renewed their League in the month of November. Milan, Lodi, Novara, Alessandria, Como, Brescia, Treviso, Padua, Bologna, Ferrara, and now Faenza, signed a convention, binding them to raise a league fund, and deposit one half at Venice, the other half at Genoa: evidently a provision for war. They continued to take other measures of the same nature, even whilst at length, at the Pope's repeated command, sending deputies to Rome, there to accept his arbitration. But their envoys, whether designedly or accidentally, did not reach the Papal Court within the time prefixed by the Emperor; who, strong in the cordial loyalty of Germany, demonstrated on occasion of his son's rebellion, had refused every request for its prolongation. The Imperial mission, therefore, at Christmas, when the allotted period expired, declaring that they considered their Sovereign's offered conditions to be rejected, quitted Rome. And, to this refusal of more time by Frederic, alone, have some later writers ascribed Gregory's failure to effect a reconciliation between him and the Lombards, who sought peace in such martial guise. Nor do they seem to perceive any inconsistency between this view of the failure, and their own remark, that the Pope must needs have dreaded such an increase of the Emperor's power, as the mere cessation of Lombard enmity, must have caused.(255)

When the Lombard deputation did at last arrive, Gregory accepted their apologies for delay with a readiness, that appeared to Frederic strongly indicative, if not of his former partiality for the insurgents, at least of his disposition to sacrifice every imperial right to his own object, of obtaining co-operation towards a crusade. He endeavoured by reasoning, to counteract this apprehended tendency. He represented to the Holy Father that, with respect to himself, one of the duties incumbent upon him, was to transmit the Empire to his heirs as received from his ancestors, not sacrificing any rights of the crown, by yielding, for personal objects, to the factious insolence of rebels; that, with respect to his Holiness, he could not but conceive, that the eradication of the heresies polluting

so many Lombard cities, was a duty incumbent upon him, prior to embarking in a distant expedition against Mohammedans. And to these remonstrances, he added the assurance, that, until Italy should be reduced to her ancient, proper subjection to the Empire, he was himself deficient in the resources indispensable to render a crusade effective; a deficiency of which he had been made painfully sensible during his former Crusade. For the removal of these impediments and difficulties, he proposed the summoning an Italian Diet to meet at Parma, upon the 25th of July, of this current year, 1236; at which Diet he should be ready, either to accept, without irritating retrospect, the submission of penitent, or to chastise obstinate rebels. The Pope appears not to have acceded to this proposal; at least this Italian Diet, for some reason or other, was evidently not convoked, as the Emperor, at the time he had named, is found presiding over a German Diet at Augsburg.

Gregory, meanwhile, strove by explanations to remove Frederic's mistrust, which he, on the contrary, confirmed by his choice of the individual, whom he appointed his Legate at the Imperial Court, and mediator between the monarch and the insurgent Lombards. This was Cardinal Giacomo di Palestrina, who, having been previously sent as a pacificator to Piacenza, when that city was torn by factions, was able to discover no more equitable mode of fulfilling his mission, than the banishment of Marchese Palavicino with all the Ghibelines. The misgivings awakened by the selection of such a Legate, were confirmed, and Frederic's resentment against the contumacious Lombards was both excited and embittered, by the complaints and reports of banished Lombard Ghibelines. Driven from their homes by Guelph violence, they flocked to his Court for protection and redress, filling it with clamorous repetitions of their own wrongs and sufferings; mixed with as clamorous accounts of the virulent, implacable hatred, borne by the Lombard Guelphs to the Emperor. Whether this were exaggeration, whether even the violence of factious spirit could exaggerate the reciprocal hatred of opposite Italian factions for each other, and, consequently,

of Guelphs for the Emperor, must be judged from the general tenor of their conduct.

Azzo, Marchese di Este, professed himself to have been as devotedly attached, as his elder brother Aldobrandino, to the Emperor, until that prince incurred excommunication; but had not resumed his loyalty when the Pope declared himself satisfied. Azzo's adherence to the Guelph faction, as its avowed head, had from that moment been uninterrupted, save by the ephemeral triumph of Fra Giovanni. When the Dominican's influence faded away, the Marquess's connexion with the Romanos, through the marriage in which the Friar had entangled his son, had no power over his conduct or his sentiments; unless, indeed, the hereditary hatred of the House of Este to the rival Trevisan Houses may have been envenomed by the irritating fact of having a Romano daughter-in-law obtruded upon him. As long as the Romanos and Salinguerras should be Ghibelines, the Guelphism of Marchese Azzo was invincible. Being Podestà of Vicenza, he, early in the year 1236, made an attempt to expel the Ghibelines from the neighbouring city of Verona, of which Ezzelino had remained really the prince, from his acquisition of the two offices of Podestà and Capitano del Popolo, both still habitually held by him or by some of his noble vassals or dependent friends. Azzo's attempt failed, but, with the aid of some of the nearest members of the League, he invaded, and was even then fearfully ravaging the Romano territories. Ezzelino, knowing himself singly no match for the Marquess, had addressed an earnest petition for assistance to the Emperor; who thereupon expedited his preparations for re-crossing the Alps. When the imperial letters, announcing his immediate approach, reached Verona, and were circulated through Lombardy, the triumphant Azzo refused to receive them; he, indeed, immediately evacuated the Romano domains, retreating to Vicenza; but there, denounced pain of death upon whoever should hold intercourse with the Emperor—his acknowledged sovereign—or should even pronounce his name.

By the end of July, Frederic re-entered Italy, at the head of a German army; but that army was not large.

Some of the princes, upon whom he usually relied, were engaged in putting the ban of the Empire in force against the Duke of Austria; but the principal cause of a deficiency of troops seems to have been, either that the progress of civilization and the arts of peace in Germany, produced a growing distaste amongst the great vassals for distant expeditions, or that their growing sovereignty disinclined them to such expeditions as would strengthen the sovereign's power. They still esteemed themselves Princes of the Empire, still held Italy an integral part of the Empire; and the Empire itself, with all the imperial rights of sovereignty, indissolubly attached to the elective crown of Germany: but they no longer frankly admitted, as a consequence from those facts, that to do battle for those rights out of Germany, was their bounden duty, or their business. They now sought to relieve themselves from the burthen, by asserting that it was for the loyal Italians to reduce Italian rebels; and they alleged, that, if the Emperor needed additional strength against the insurgent Lombards, reinforcements might be more conveniently drawn from Sicily and Apulia, than from beyond the Alps; although they well knew that these southern realms did not consider themselves members of the Holy Roman Empire.

With such German troops as he could, upon the spur of the occasion, collect—a few thousand only—Frederic crossed the Alps, and, upon the 16th of August, reached Verona. Joyfully was he there received and splendidly entertained by Ezzelino, as Podestà, and his brother, and thence, attended by them and their vassals, he proceeded westward, crossed the Mincio, and gathering, as he went, the warriors of Modena, Reggio and Parma, advanced to Cremona.

The Lombard League had not ventured an effort at interrupting the Emperor's march, but Azzo, collecting the contingents of Vicenza, Padua, Treviso, and Canino, took the opportunity of the Romano brothers' absence from home, as part of the Imperial army, to renew his devastation of their now, nearly denuded, dominions. Ezzelino hurried back to their defence, but was too inferior in numbers to the Marquess, either to relieve

Rivalta, which was besieged, or to cover Verona, which was menaced by him. He again implored the Emperor's aid, and Frederic, retracing his steps, brought it in person; when, falling upon Azzo and his Guelphs by surprise, as well as in superior force, he completely routed them, pursuing the fugitives so closely, that these last reached Vicenza, barely in time to close the town gates against the simultaneous entrance of the Imperialists. His summons to open those gates to the acknowledged liege Lord of the city, was scornfully rebutted, although Azzo, having parted from his army during the flight, was not in the town. But in the night of the 10th of November the walls were escaladed, and Vicenza taken by storm.

Amidst the scenes of slaughter, of reckless indifference to human life and human suffering, darkening the pages of mediæval history, it is soothing to record exertions for preserving a town taken by storm from horrors, that still, amidst all the boasted philosophy and refinement of the nineteenth century, can hardly be prevented. Not only did Frederic, who has been described as singularly in advance of his age, strain every nerve to stop the sacking of a town, in which to pronounce his name had been punished with death; even Ezzelino, branded by history with the surname of the Tyrant, laboured almost too vigorously in the same good cause, one instance of which is characteristic. Seeing a Vicentine lady, struggling in the clutches of a German, and finding remonstrance unavailing to rescue her from outrage, he saved her by cutting down the human brute who would not release his prey. When order was at length restored, the Emperor treated the refractory city with a lenity, in those days, nearly unexampled. He punished a very few only of the ringleaders, freely pardoned the great body of offending citizens, without even imposing a fine; and merely substituted their former Podestà, Alberico di Romano, to Azzo di Este, who had wrested the office from him.

It may here be observed that Frederic II has incurred severe censure for his favour to this, fearfully surnamed, Ezzelino the Tyrant. That, at a later period, the odious title may, in some measure, have been merited, there is perhaps

little doubt, though there may be, whether more by him than his neighbours. The cruelty and sanguinary violence imputed to him, may be presumed somewhat highly coloured by Guelph historians; and his early contemporary, Gerardo Maurisio, speaks of him with affectionate admiration. Maurisio's Chronicle embraces, indeed, only the early career of his hero, to about this time; and, as years rolled on, various things may have hardened Ezzelino's heart. At the epoch in question, however, why should the Emperor hesitate to favour a powerful vassal, who professed to govern himself by such chivalrous maxims as, To lead an honourable life;—Never to succumb to adversity;—Never to break a promise to a friend;—To love friends and hate enemies;—with others of similar tenor? He had seen Ezzelino act in accordance with his maxims at the storming of Vicenza. Why should he not reward and secure the active loyalty of such a vassal, with the hand of his beautiful, illegitimate daughter, Selvaggia? The marriage seems, however, to have taken place later.

Be this as it may, the Emperor and the Romanos were now triumphant, and actively ravaging the territories of the rebellious Paduans. They had proceeded to besiege the equally rebellious Treviso, when their career of victory was suddenly interrupted, Frederic being most unexpectedly recalled to Germany.

The Emperor, at his departure for Italy, appears to have taken all legitimate German energy away with him. The success of the army of the Empire in Austria was presently arrested. Duke Frederic again burst forth in his strength, defeated that army, made the Bishops of Passau and Freising prisoners, recovered all he had lost, and was now threatening his neighbours with retaliatory invasion. The Emperor, upon receiving information of this state of affairs, immediately returned to the German scene of action. He took his way through Styria, then a dependent province of Austria, having been bequeathed by the last Margrave, the childless Ottocar the Leper, to his cousin, Duke Leopold, the captor of Richard Cœur de Lion. The Emperor crossed the Styrian Alps in the depth of winter; the Styrians loyally endeavouring to facilitate his passage. The German princes, who, whilst

reprobating the Lombards as rebels, had refused to co-operate in reducing them to obedience, hastened to support their sovereign against one of their own body, who resisted the ban of the Empire, as denounced by the Diet. In addition to those of the princes, originally intrusted with the execution of that sentence, remaining uncaptured, viz., the King of Bohemia, the Dukes of Bavaria and Carinthia, and the Bishop of Bamberg, the Archbishops of Mainz, Treves, and Salzburg, the Landgrave of Thuringia, the Margrave of Baden, and the Burgrave of Nuremberg,—who had long since accomplished the conversion of his Imperial office into a hereditary dignity of the house of Hohenzollern—with others of inferior consequence, brought their vassals. Austria was quickly regained by the army of the Empire, and the Duke's possessions reduced to a single town, Neustadt, where he was blockaded. Vienna, throwing open her gates, invited the presence of the Emperor; and in this Austrian capital he seems to have held a Diet for regulating the affairs of the duchy.

The deposal of Duke Frederic was confirmed, and the loyalty of Styria and Vienna rewarded. By a charter, dated April, 1237, Styria was made an immediate fief of the Empire, never more to be subjected to a Duke of Austria, or any other mesne-lord, unless at the express desire of the Styrians themselves. Various legislative improvements, and alleviations of feudal burthens, were granted; amongst others, the succession of daughters, in default of sons, to all fiefs, and of the next of kin to persons dying intestate; together with several of the laws enacted at the late Mainz Diet. A remarkable circumstance, tending to show that laws enacted by a Diet, were deemed binding only upon those states whose princes or deputies had concurred in enacting them, or perhaps sworn to obey them. Vienna was made a Free Imperial City, with great municipal rights and privileges; and a high school was there founded, possibly the germ of the present university; though Germany boasted no institution so entitled, during this century. In the Vienna charter appear some new and singular regulations concerning Jews, unlikely to be approved by the Pope, even by one more liberal than

Gregory IX. Not only was their compulsory baptism prohibited, but professed converts were allowed a period of grace, during which they might, unpunished, return to Judaism; and, as a test possibly of the sincerity of every conversion, the Jew, who abjured the faith of his fathers, was actually required to renounce their heritage likewise. For the moment the Emperor kept both Austria and Styria in his own hands, appointing the Bishops of Passau and Bamberg his Rectors or Vicars for their administration, and Graf Poppo von Henneberg Governor, or Burgrave, of Vienna;—the usual Imperial officer in Free Imperial cities.

The princes present at Vienna appear to have cheerfully assented to the Emperor's wish, that his younger son, Conrad, should now be elected King of the Romans, in lieu of the deposed Henry. But at Vienna he took no step in the business, beyond ascertaining their willingness to comply; most likely because the locality was judged unfit for so important a transaction. The Electoral Diet was upon this occasion convened to meet at Spires, but whether in February, March, or July, of this same year, 1237, has been doubted. The date of the charters concerning Austrian affairs, April 1237, showing the Emperor and the Princes of the Empire to have then been at Vienna, would naturally indicate July, for the Electoral Diet; but a document relative to the election itself, bearing the double date of February and March, 1237, has been recently published,(256) clearly extinguishing this supposition, inasmuch as it speaks of the election as then completed. The only conjectural explanation of this confusion of dates that occurs, is, that the Emperor obtained the promise of the princes at his triumphant entry into Vienna—the founding of the High-School is believed to have been the expression of his thankful satisfaction—that he repaired forthwith to Spires, accompanied by those same princes, to carry that promise into immediate effect, in a regular Electoral Diet, upon the banks of the Rhine; and that, as soon as the election was completed, he returned to Vienna, still accompanied by such princes as were interested in the regulation of Austria and Styria, there, in a Diet held for that purpose, to grant the necessary charters. The docu-

ment in question is further memorable as containing the names of the Electors who elected Conrad King of the Romans; and thus showing that the right of suffrage was, as yet, exclusively attached, neither to great household offices, nor to especial principalities; in fact, it might long be thought legally exercised by whatever great princes chose to participate in the transaction. The electors upon this occasion were, the Archbishops of Mainz, Treves, and Salzburg; the Bishops of Bamberg, Passau, Ratisbon, and Freising; the King of Bohemia, the Rhine-Palsgrave Otho, also Duke of Bavaria, who appears to have voted in both capacities, the Duke of Carinthia and the Landgrave of Thuringia:—comprising neither the Duke of Saxony nor the Margrave of Brandenberg, nor any Lotharingian, but two Slavonians, and some prelates of lower grade. The preponderance of ecclesiastical princes is likewise remarkable, and should avouch that the Pope was at this time really well disposed towards the Emperor. This election further indicates, that, although some idea of proper and improper places for the performance of so high a function already existed, Frankfort had as yet no exclusive pretension to such dignity.

CHAPTER IX.

FREDERIC II.

Affairs of Italy—War in Lombardy—Capture of Padua—Battle of Cortenuova—Affairs of the Eastern Empire—Siege of Brescia—Affairs of Sardinia—Enzio King—Quarrel with the Pope—Frederic's Second Excommunication—Imputed Blasphemy. [1237—1239.

WHILST these transactions occupied the time and thoughts of the Emperor in Germany, the Italian Guelphs prepared to take advantage of his absence. Padua, apparently as Head of the eastern division of the Lombard League, made her Podestà, Marchese Azzo, Commander-in-Chief of the collective forces of the Trevisan march, placing the Paduan carroccio, as the ensign of his dignity, in his guard; even whilst, with genuine democratic mistrust of a military leader, even of one popularly chosen, a Council, composed of sixteen individuals, was appointed to assist him—in other words, to control his authority. Azzo eagerly prepared to subjugate all neighbouring Ghibelines, and, notwithstanding the trammels in which he moved, his success was, in the first instance, correspondent to the hopes of his party. Before Christmas Marcaria was taken, and the greater part of the garrison of Cremona cut to pieces.

But now, the Councillors, joined in command with the Marquess, began to thwart his measures, ultimately proving Ghibelines:—a whimsical illustration of the confusion as well as division of opinion prevailing in towns, and even in families. How the attachment of these individuals to the opposite party chanced to be unknown, does not appear; but unknown it must have been, or they could not have been selected for command against their

own faction; no, nor had they even been supposed so lukewarm, as to be open to bribery. When their Ghibelinism was discovered, they were banished to Venice, where the authorities were requested to keep them in confinement; but they, forestalling the sentence, escaped, some to their own castles, others to the Ghibeline army. That army, led by the Romano brothers and Gebhard, Graf von Arnstein—whom Frederic, at his departure, had placed at the head of the German troops left in Italy—was now advancing. Azzo, disencumbered of his Council, boldly encountered the Imperialists, but was defeated with great loss. One strong town was now captured by the victors, another voluntarily opened its gates; the troops of the League dispersed, and the Marquess, finding himself with only his own vassals, cut off from Padua, and hard pressed by Ezzelino, again changed sides. Merely stipulating that his dominions should be respected, he professed himself henceforward a loyal vassal of the Emperor and a friend of the Romano brothers.

This success speedily brought reinforcements to the Ghibeline army, which Ezzelino harangued. He told his hearers that hitherto ignorance, wickedness, disorder, and arbitrary despotism, had, under Guelph domination, superseded law and justice; but that now, together with the sovereignty of their Emperor, these last should be reseated in due supremacy, and he added that, as even in Padua the better disposed citizens desired this change, he was confident of easily gaining possession of that city. The fugitive members of the Council of Sixteen present, corroborated this statement; the Guelph *Castellano* of Monselice, who had just opened his gates to the Ghibelines, declared that all men longed for emancipation from the tyranny of the Lombard League; and to besiege Padua was loudly and unanimously decreed.

The Romanos and Arnstein accordingly marched upon the Guelph town, and at once assaulted the walls, trusting to co-operation from within for enabling them to carry it by storm. But in Padua the Guelph faction, as by far the strongest, was in possession of the government. They called citizen and soldiers to arms, and the expected co-operation became impossible; the walls were stoutly de-

fended, and the assailants repulsed. Popular favour is, however, proverbially mutable; and, if the Paduan Ghibelines had, upon the first appearance of their friends, been unable to fulfil the hopes they had awakened, their efforts were not long thus neutralized. So effective was the use made by them of remonstrance, persuasion, promises, threats, and bribes, that the same day saw the Guelph victory gained, the victorious Guelphs deposed, and the authority transferred to their adversaries. The morning after the repulse of the besiegers, a convention was signed, by which, upon condition that neither should the laws be altered, the rights or privileges of the citizens be impaired, nor the taxes be increased, Padua surrendered to the Imperialists.

The Romanos and Arnstein at once made their triumphant entry. Ezzelino, as he rode through the gate, took off his helmet, and bending sideways kissed the gate-post, equally to the joy of the townsmen who hailed the act as an expression of good-will,(257) and to the perplexity of those who, whilst recording it, have sought, not very successfully, to find in this kiss a revelation of filial resentment against Padua, for injuries to Ezzelino the Monk, and threats of vengeance. No one dreamt that delight at becoming master of a city, so important through wealth, strength, and locality, might be thus expressed, until Pfister suggested this solution.

Graf Gebhard now took possession of Padua in the name of the Emperor, but wisely left the whole business of addressing the people, arranging the government, &c., to his Italian colleague. Ezzelino's first measure was to require the Paduans to elect a new Podestà instead of Azzo di Este, to whom, notwithstanding his conversion, he did not chuse to intrust an influential town, little to be relied upon. The choice of the citizens naturally fell upon himself; but he, fearing, perhaps, by such an increase of his own power to awaken distrust in the mind of Arnstein, and through him in the Emperor's, declined the honour. The Paduans persisted, when he proposed an Apulian nobleman as his substitute; whom, as his nominee, they accepted. He thus ably avoided to incur suspicion, whilst virtually retaining the power in his own hands;

Padua celebrated the change in her politics and her government with rejoicings, genuine or hypocritical.

Treviso forthwith surrendered to the Imperialists; everything promised further immediate and complete success; and Graf Arnstein hastened to bear the glad tidings to the Emperor.

And now is said to have occurred an extraordinary moral metamorphosis, unaccountable in itself, and unexplained by accompanying circumstances; which the contemporary chroniclers, who avouch it, have so fantastically connected with the kiss to the gate-post, that a strong inclination arises to think the whole story the offspring of their prejudices and fancy. They aver that Ezzelino, who as yet was uncensured for cruelty, now, upon the departure of his German colleague, suddenly broke through the control in which he had previously held his savage propensities, becoming the most ruthlessly sanguinary of tyrants. That Ezzelino was ambitious, despotic, and far from tender-hearted, is certain; that he now treated his father's enemies, the Paduan Guelphs, harshly, is undeniable; but had the historian had nothing more sanguinary to relate, it would have been a relief to writer and reader; and that the vituperation heaped upon Ezzelino's memory rests entirely upon hostile Guelph authority, must always be remembered—his own race was extinguished, even before that which he faithfully served.

In the steps he took to clear Padua of Guelphs, Ezzelino not only professed to act solely as the deputed officer of the Emperor, but he assiduously established and strengthened the imperial authority; and, upon the whole, might better be taxed with dissimulation and craft—again qualities then as often admired as blamed—than with unusual cruelty. He began by informing the Paduans that they were accused of disaffection to their new Podestà, Conte Simone, and of caballing with the Guelphs for the recall of the Marquess of Este. He professed disbelief of the charge against a city which the Emperor designed highly to favour and exalt; but requested the individuals most particularly thus calumniated, to refute the imputation by temporarily quitting the city. They complied with his request, when he caused them to be separately seized by

his troops, who appear to have remained encamped without the walls—why is not explained, but perhaps to display confidence—and, sending the bulk of the captives, as hostages, to Germany and Apulia, he threw the remainder into his own prisons. Their fate terrified all who felt themselves open to the like suspicion, and numbers sought safety in flight. The property of these fugitives was at once confiscated, as that of self-convicted traitors. The Abbot of San Benedetto—a very active Guelph—who, similarly accused, trusting to his ecclesiastical immunities, did not similarly fly, was invited to an amicable conference upon affairs of consequence. Still confident in his position, he obeyed the call; when the Signor di Romano accused him of treasonable correspondence with the Guelphs, arrested, and threw him into prison. The Bishop of Padua, attempting to interpose in behalf of a prelate who belonged to his diocese, was haughtily told, that presumptuous churchmen should no longer defy the Emperor's Majesty, as heretofore; and he himself, as a fine for his unseemly interference in temporal concerns, and a pledge for his future silent submission, must pay 2000 marks.

These, if tyrannical, not sanguinary transactions, occurred in the month of August; when the Emperor, having vanquished the contumacious Duke of Austria, pacified Germany, and achieved the election of his second son, was returning to Italy at the head of an army. Again trusting to Italian reinforcements, it was small; but amongst the distinguished German warriors it comprised, was his young kinsman and godson, Rudolph of Habsburg; who, since the Mainz Diet, which he had attended, seems to have attached himself to Frederic's service. Azzo di Este, Giacomo di Carrara, the Conte di San Bonifazio, and other new converts to loyalty, hastened to meet their liege Lord, striving to propitiate his favour, by vehement demonstrations of Ghibeline zeal. Yet amidst all these professions, and endeavours to obliterate the past, still was party spirit, or rather perhaps, hereditary hatred, so virulent, that Frederic could with difficulty prevent Giacomo di Carrara from murdering Ezzelino in his very court.

The subjugation of Lombardy now appeared to be in

rapid progress. The Emperor took many castles by force or capitulation, and Mantua surrendered to San Bonifazio upon conditions, the liberality of which astonished the Guelphs. Invited and encouraged by such leniency, Ferrara surrendered to Salinguerra; and now the triumphant monarch, further reinforced by 10,000 Saracens from Luceria, finding himself superior in numbers as in influence to those he considered as revolted vassals, looked hopefully forward to complete success. The Milanese, proportionately alarmed, applied to the Pope for help.

When Frederic, in the winter of the year 1235, refused to prolong the time he had fixed for the assent or dissent of the Lombards to papal arbitration, he was actuated solely by a determination not to suffer rebels to exult in keeping their sovereign, patiently or impatiently, awaiting their pleasure. Even the dissensions that had arisen between him and Gregory relative to divers ecclesiastical appointments in Sicily and Apulia, in which both parties had, it is likely, reasonable grounds for complaint, awakened in his mind no distrust of the aged pontiff's fairness; and far from wishing to decline, he had lately more than once prayed the Pope to interfere. Whilst carrying on the war in Lombardy during the autumn of the preceding year, 1236, he had entreated the Pope to judge between him and his perverse subjects. Gregory, upon this request, had sent two Cardinals to prevail upon the Lombards to refer the question of their rights to him; but the endeavours of the Cardinals had been altogether fruitless. Again, whilst engaged in Germany, during the spring of this year, 1237, the universally respected Marian Grand-Master had, by the Emperor's desire, accompanied Pietro delle Vigne to Rome, to urge the Holy Father to decide the controversy; or, should the Milanese still prove refractory, to afford effective Church aid. Again Gregory so far complied with the request, that he earnestly adjured the Lombards to send, by the 6th of June, plenipotentiaries to Mantua, selected by him as the theatre of negotiation. There the Cardinals of Ostia and Sabina were to represent himself as mediator; thither repaired Hermann von Salza, again accompanied by Pietro delle Vigne, to act for the Emperor; and thither the Lombards sent deputies. But

little progress towards an accommodation was made during the summer, and the Imperial diplomatists conceived a growing distrust of the intentions of the Papal Court, as appears by a letter from Pietro to the Archbishop of Capua, in which he says, that he and his colleague have to navigate between Scylla and Charybdis, between the artifices of the Cardinals and those of the Lombards. But, however unpromising, the negotiation appears to have still proceeded, until interrupted by the rapid success of the Imperial arms, and the consequent appeal of the Milanese to the Pope for assistance.

Pietro delle Vigne had of course imparted his suspicions to the Emperor, as well as to the Archbishop; and the appeal of the Milanese to Gregory showed a conviction, on their part, of his desire to prevent their subjugation, not likely to remove those suspicions. Frederic was persuaded that the appeal had been answered, by pecuniary aid sent to Milan. Whether this opinion were well or ill founded, certainly at this moment, when the Emperor appeared to be upon the point of reducing Lombardy to vassalage, as of yore, the restoration of peace, by some compromise averting absolute subjection, was the object nearest Gregory's heart; and the two Cardinals speedily presented themselves as mediators in the Imperial camp. But the pertinacious rejection or evasion of his offers by the Milanese, had by this time exasperated Frederic; and he was resolute not to suffer those who had eluded mediation till their cause was desperate, to baffle, by then accepting it, his almost certain triumph; but, wasting no more time in fruitless concessions, profit by his actual superiority. He refused to admit the Cardinals to his presence, declaring that he recognised no mediator save his Holiness in person. He refused longer to abide by his repeatedly and insolently slighted moderate offers; concluding a letter to the Pope by the declaration, that he no longer acknowledged, as absolute and immutably established law, the Peace of Constance: which having, under altered circumstances, growing out of lapse of years, become prejudicial to the rights of the Empire and the liberties of the Church, required modification.

Gregory, convinced that the absolute subjection of the

Lombards would be fatal to the independence of the Papal See, and that the opportunity for a compromise had been slighted, but still shrinking from a rupture with the Emperor, now perceived no chance of averting the evil, unless he could prevail upon the monarch whom he dreaded to undertake a Crusade. To this he therefore vehemently urged him; under the circumstances of course in vain; Frederic pronounced such an expedition impossible until Lombardy should be pacified. The Pope dropped the attempt, and the disappointed Milanese felt that their only hope lay in victory, or, if that were too visionary, in foiling the Emperor's efforts, until weariness or winter should disband his powerful army. He might find difficulty, they trusted, in bringing such another together; whilst their forces assembled, dispersed, and re-assembled, from day to day. Accordingly, the collected troops of their allies and dependents, to the number of from 16,000 to 20,000 men, under the guidance of their Podestà, Giacomo Tiepolo, son to the Doge of Venice, and of their Archbishop, crossed the Oglio, and encamped amongst brooks and morasses, upon the road by which the Emperor was advancing. The Imperial army was not so superior to theirs as to justify either attacking them, in a position strong as that they had taken up, or leaving them behind whilst besieging Milan. Yet the autumn was passing away; to engage them, to make use of his actual numbers, was to Frederic indispensable; whilst to them every day wasted was a positive gain. Recourse must be had to stratagem, luring them to a more assailable position.

November being far advanced, reports were circulated that the Emperor was about to dismiss his army for the inclement season. Some troops apparently began their homeward march; he himself, with the main body, crossed the river at a somewhat distant point, upon the road to Cremona, as though to take up winter quarters in that city. The Lombards, persuaded that their policy had succeeded, and eager to leave a position which heavy rains had rendered disagreeable and unhealthy, joyfully broke up their camp. Only there, would they endure the strictness of military discipline, and they now hastened in irregular masses, to

their several homes. But the Imperialists were not gone. At Cortenuova, Frederick himself, with his troops in battle array, confronted the disorderly Lombards; whilst from every wood, lane, and narrow pass on their way, Imperialists gathered in their rear. The Lombards were taken at disadvantage, but their hearts were stout. They formed themselves as well as circumstances would allow, and fought valiantly, as long as a hope remained that resistance could avail. When convinced that victory was absolutely impossible, they endeavoured to retreat in tolerable order, carrying their highly prized Carroccio safely home. But the rains that had rendered the position amongst the morasses intolerable, had likewise destroyed the roads, and the Carroccio was soon inextricably imbedded in a slough, whilst the victorious Imperialists closely pursued the retreating army. The Milanese now strove at least to spoil their standard for a trophy, by stripping off its decorations, especially the gilt cross surmounting the mast. But the pursuers pressed irresistibly upon them, so harassing them on all sides, that, longer to pause for this purpose, became as impossible as success. Dismay prevailed; dispersion and flight were the only resource. Frederic's victory was complete. Thousands of the Lombards fell in the battle or in the flight; thousands were made prisoners; baggage, engines of war, and the Carroccio, with its gilt cross, were the victor's booty. Amongst the captured was the Podestà, triumphantly carried off upon the carefully repaired and redecorated Carroccio; which the victors had ample leisure to extricate from the fatal slough. The battle of Cortenuova was fought upon the 27th of November, 1237.

In this defeat of the Lombards originated the power of the house of Torre, which gave Milan her first *Signore perpetuo*. Whether Pagano della Torre, had, or had not been a leader in the army, seems doubtful; but, during the flight, as many of the fugitives, as he could collect, he sheltered in his strong castle of Valsassino, which the pursuers had, at the moment, no means of hopefully attacking. Thence, when the heat of pursuit was over, he led them in orderly array to Milan, the only band that could boast such an appearance. He was hailed as the Saviour of his

country; and, if he was not immediately placed in authority, his influence was thenceforward unbounded.

The hand of Frederic's fair child, Selvaggia, was, according to the best authorities, the guerdon of Ezzelino's prowess in this battle; knighthood from the imperial hand, that of Rudolph of Habsburg's. The Milanese Carroccio was presented to the Romans as a trophy, with an inscription, which flatteringly reminded them, that he whose triumph it commemorated, was their Emperor, and as such, Sovereign of the world. The Romans, who had recently again driven Gregory away, and won even Viterbo, usually so devoted to the Popes, to join in their revolt, were, at the moment, in a fit of imperialist republicanism, and celebrated the defeat of the Lombard republicans, with cordial rejoicings; whilst the expelled pontiff, in his helplessness, professed their sentiments. The Venetian Tiepolo was sent, as an important prisoner, into Apulia for safe custody; and, that nothing might be wanting to the satisfaction of Frederic, his young Empress shortly afterwards made him the father of another son. The infant was named Henry, as though to mark the immutable removal of the elder Henry, from the scene of active existence.

The dejection of the Lombard League was commensurate with the exultation of the Ghibelines. The greater number of the confederated cities, hastening to make their submission, were graciously received and pardoned. Milan herself, thus deserted, desponded; and offered far more, than the papal verdict, against admitting which she had so doggedly struggled, had required. She offered, as the price of a full pardon for citizens and city, to acknowledge the sovereignty of the Emperor, lay all her banners at his feet, deliver up, as a fine, all her gold and silver, and equip and support 10,000 men for the Crusade.

How much less would have satisfied Frederic, when he was insisting upon her obedience to that first papal verdict, so favourable to the Lombards, which he himself so reluctantly received! Milan had missed her opportunity, and the Emperor was now to miss his. Exasperated and victorious, he required unconditional surrender. Prayers and remonstrances proved alike unavailing. To all he

replied that such absolute submission was indispensable to the Imperial honour; that mercy, the fairest and freest prerogative of sovereignty, was neither to be extorted by insolent defiance, nor bargained for; and he persisted in his demand. From the character of Frederic II, and from what will hereafter be seen of his conduct upon an occasion nearly similar, it may be inferred that he would have received such unconditional submission as a satisfactory expiation, requiting it with the clemency their submitting confederates had already experienced. But the Milanese remembered the severity of the sterner grandfather, Frederic Barbarossa, and unanimously declared that they would die sword in hand, rather than give up their city to be destroyed, themselves to be sacrificed by hunger, misery, the dungeon, and the hangman. To neither of which last, they, however, knew, had Frederic Barbarossa ever subjected their grandfathers.

That the pacification of the country was again delayed, disappointed the Emperor; but that Milan single-handed, or with Brescia, Piacenza, and Bologna—if excited, as they seemed, by her spirit, they, retracting their recent submission, again united with her—should resist the forces he now hoped to bring against her, he deemed impossible. To Gregory the issue of such a contest appeared equally certain, but with different anticipations. Under any circumstances, the meekest of popes could not but have deprecated such an addition, as the possession of Lombardy, to the power of an Emperor, already master of Germany, Apulia, and Sicily; whilst, between the haughty Gregory and Frederic, new causes of dissension daily arose. One of these, relative to the Latin empire of Constantinople, will require the retrospect of a few years, to be intelligible.

The hostility, or ambition, of the Bulgarian monarch, which the Latin conquerors of the Byzantine empire had not condescended to buy off, pressed heavily upon that feeble state. A common interest had produced an alliance between this semi-barbarian, Roman-Catholic King, and a natural enemy of the Latin Emperor, one of the Greek claimants of the Constantinopolitan crown, Greek in religion, as by birth. This was John Ducas Vatazes,

who, having married the eldest daughter and heiress of Theodore Lascaris, had, upon the death of his father-in-law, succeeded to him, both as Emperor of Nicæa, and as pretender to the East-Roman Empire. Vatazes appears to have been a prince well fitted for the high dignity he claimed. During his thirty-three years' reign he was constantly enlarging his dominions. His fleets commanded the Bosphorus and the Hellespont, assisting to reduce province after province of the old Eastern empire; he occupied, peopled, and cultivated districts that had been laid waste and deserted; he raised agriculture to honour by his example, encouraged every description of industry, and discountenanced luxury. Conjointly with Azan, he, in 1235, had laid siege to the capital of the diminished Latin Empire. Jean de Brienne had hitherto disappointed those who had purchased his services with an Imperial throne; having apparently considered that throne as the recompense of past toils, and also a place of rest after them. But the imminence of the danger aroused him. The energies of his active years reviving, by his daring courage and indefatigable exertions, he successfully defended the city; and then, audaciously sallying, defeated the repulsed beseigers. Constantinople was rescued; but more than this, with his deficient means, he was unable to do; and despatched his imperial ward, son-in-law, and successor, Baldwin II, to solicit aid from Western Europe.

The Imperial petitioner's first visit was to the Pope. The maintenance of a Latin prince upon the Constantinopolitan throne, was, to Gregory, identical with the maintenance of some degree of orthodoxy in the Eastern Empire. He received Baldwin kindly, and furnished him with earnest recommendations to all European sovereigns. At the Court of the pious Lewis IX, such papal protection was most efficient. The King of France did not, indeed, judge it necessary to undertake in person the relief of the Byzantine Emperor; but he warmly encouraged his chivalry to engage in the adventure. Baldwin, during this journey, recovered the county of Namur and the French fiefs of the Courtenays, from a sister who had inherited them. With this support to his promises, whilst his

invitations were royally countenanced, he raised something like an army, at the head of which he set hopefully forward for Constantinople. Upon the road he met information of Emperor John's death; which might be expected, by making Baldwin himself the Emperor in whose service they were engaged, to enhance his influence over these volunteers. But, no! To the French knights, the reputation of Brienne, a French Emperor, had been the incentive to the enterprise; without him, it was uninteresting; and they dispersed. Baldwin renewed his exertions; and his promises, now made in his own name, ere long collected another band of adventurous warriors, the guidance of whom he committed to Jean de Bethune; remaining himself at the French Court, to obtain, if possible, more effective assistance. Bethune led his troop into Italy, there to find conveyance to their destination; but met with obstacles that might have been anticipated.

Vatazes of Nicæa, having lost the wife to whom he owed his empire, had, as far back as 1233, prior to attempting, in alliance with Azan of Bulgaria, to inforce his claim to the Byzantine empire, married an illegitimate, infant daughter of Frederic II's—then growing up at her consort's court—and had offered to hold his empire in vassalage of the Holy Roman Empire, if assisted by his Imperial father-in-law to recover it from the Latin conquerors. Even independently of such an offer, Frederic naturally wished success and augmentation of dominion to his daughter's husband; and, though he had not assisted him in his attack upon Constantinople, probably in deference to the Pope, he could not be expected to facilitate the passage of troops, designed to support the actual occupant of the throne, against his son-in-law, the alleged rightful heir. He seems, nevertheless, still influenced by anxiety to avoid a rupture with the Pope, to have again shrunk from openly assisting the schismatic Greek against his orthodox Latin rival; whence, probably, the strange plea, upon which he interdicted the embarkation of Baldwin's auxiliaries, at any port of the Holy Roman Empire or the Sicilies. This was, that to the deceased Emperor John, should succeed, not his son-in-law, Baldwin, who had been set aside when John was elected, but John's

natural heirs, his sons; who, as half-brothers of the late Empress Yolanthe, were King Conrad's uncles. Until the conflicting pretensions of Baldwin and the Briennes should, upon investigation, be decided, no succours must, the Emperor alleged, be given to either party. He inforced his prohibition by causing Bethune to be arrested on his way to Venice, and kept in confinement.

Gregory, of course, wholly disallowed this plea, and thundered his indignation against the assistance, which the interruption of Bethune's expedition gave a schismatic Greek against a Roman Catholic sovereign; insisting, more vehemently than before, upon Frederic's instantly undertaking a Crusade. Frederic retorted, that the Pope himself prevented the organization of a Crusade, both by withholding the support of the Church from him in his struggle against rebels, fautors of heresy; and by persistence in acting as the Head of a Church, to wit, the Constantinopolitan, that disowned him. The person most interested upon the present occasion, Baldwin, by the advice of Lewis IX, hastened from the French to the Papal Court, to implore, his fiery nonagenarian protector, more forbearance towards Frederic; since the dissensions between Pope and Emperor produced most of the difficulties impeding a Crusade, as well as the support of his menaced throne. Frederic meanwhile, conscious of having discovered too much partiality, released Bethune, who immediately rejoined his troop. But at Venice, whilst preparing to embark, he was attacked by severe illness and died; whereupon the whole band, which had waited patiently during his captivity, at once dispersed.

The affairs of the Eastern Empire, if dividing the attention of both Frederic and Gregory, did not interrupt the struggle going on in Lombardy. There it was now to be tried, whether the inflexibility of Frederic towards the Milanese was—not, after the provocation he had received from them, surprising or unjust, but—judicious or rash. That the Lombards—whom the most Guelph of all contemporary writers, Salimbeni, thus describes, "They say one thing and do another; are crooked and slippery in their ways, and, like eels, the tighter you grasp them, the quicker they glide away"(258)—could not be reduced to

their former subjection, until Milan was thoroughly disabled for resistance, was indisputable. To incapacitate Milan, was therefore the object; and could the Emperor have raised an army sufficient to besiege her and her three allies simultaneously, keeping it together long enough to carry them, if the attempt to storm failed, by blockade, his presumed plan of conquest and clemency would, indisputably, have been more effectual than negotiation. But even to assemble such an army he knew difficult, and found impossible—mercenaries not being as yet numerous enough, apparently, to serve as more than auxiliaries to the main force. The princes with the Emperor, then earnestly exhorted Brescia, Piacenza, and Bologna, to submit to their liege Lord, in confident reliance upon the clemency which they had already experienced. But these admonitions were scornfully rejected; the three cities avowing their resolution to stand or fall with Milan. All four must be reduced, and the question was with which to begin. Bold strategy might have concentrated all force upon the main object of conquering Milan, whose fall would have included that of her dependent allies. More timid counsels recommended insulating the most formidable of the four, by first subjugating the feebler confederates. This scheme is said to have been Ezzelino's, and by his advice, Brescia was selected to be first attacked.

As soon as the expected reinforcements from Germany arrived, accompanied, it must be supposed, rather than led, as some authors state, by the eleven-years-old Conrad, these measures were put in execution, and upon the 3rd of August, 1238, the Imperial army sat down before Brescia. Both attack and defence were vigorous, but early did the Emperor begin to meet with disappointment. He relied much upon the skill of a Spanish engineer, whom he had engaged to plan, construct, and manage his battering machinery; and the Spaniard, being taken by the besieged in a sally, and owing no allegiance to his Imperial employer, was easily bribed or frightened into dedicating his abilities to the service of his captors. The siege was protracted; on both sides exasperation daily increased, and gave rise to deeds of savage ferocity, which, as usual, each party accused the other of beginning. It

should seem, however, that the Brescians led the way, by fastening their prisoners outside the walls, in places which were either peculiarly threatened, or which they conceived to be the weakest; so that the besiegers could not even endeavour to batter them down, without mangling or killing their own friends. The indignant Frederic retaliated, affixing his Brescian prisoners upon the most exposed parts of his movable towers; and, although on both sides pains were taken to avoid injuring their imperilled, captive comrades, numbers on both sides were hurt and many crushed. The besieged, nevertheless, profited by their brutal device; inasmuch as the caution, thus rendered indispensable in conducting the attack, so delayed the progress of the besiegers, that the town still defied them, when the heavy rains of October both impeded their operations, and made their camp unhealthy. Frederic found himself under the mortifying necessity of concluding an armistice with Brescia, preparatory to raising the siege and putting his army into winter quarters.

During the siege and the preceding deliberations, Guelphs and Ghibelines had, in divers parts of northern and central Italy, been engaged in hostilities detrimental to both; but without influential result. The most important of these affairs was an attempt by the Marquess of Este, who had again renounced his momentary loyalty, and Giacomo di Carrara, upon Padua. It was foiled. Ezzelino, chancing to be in the city at the time, drove out the Guelphs, who had got in by surprise, and took Azzo's ally, Giacomo, prisoner. Him he compelled to ransom himself by the surrender of Carrara, but could not gain any further advantage over the Marquess.

The effort, which the Emperor about this time made, to gain the wealthy and powerful republican Genoa to his side, was baffled, in a mode, whimsically characteristic of the social and political state of these Italian cities. He despatched envoys thither, who were well received by the Council. They declaimed upon the great happiness and prosperity enjoyed by all the Emperor's subjects, under his wise and paternal government; pointed out the great benefits which the commerce of Genoa must needs derive from a more intimate connexion with his dominions, and

finally delivered the letters intrusted to them. These were read, found to contain an invitation to the Genoese to take, as of yore, the long-omitted oaths of allegiance and homage to the Emperor. The majority of the Council—neutrals upon this occasion joining the Ghibelines—inclined to comply with the proposal; one most repugnant to the Guelph minority. But in resources for preventing measures which they disliked, that minority was not deficient. The business being communicated to their faction out of doors, a party of Guelph citizens entered the Council chamber, clamourously asserting the incompetence of this body to decide upon a measure so momentous, which must, they said, be submitted to the General Assembly. To this encroachment upon the Council's authority, no opposition was offered. The General Assembly was convened, and the Emperor's letters were delivered to the appointed officer, to be by him read aloud. But even here there was danger of their being favourably received, which a blunder of the official reader—whether preconcerted or not—eluded. The official reader read a requisition to take the oath of fealty and subjection (*fidelitatis et dominii*), instead of that of fealty and homage (*fidelitatis et hominii*), the lightest form of vassalage, viz., that of one sovereign prince to another, his suzerain for some part of his dominions. The very idea of subjection exasperating the haughty republican citizens, to no explanation would they listen, but tumultuously rejected the proposal.(259)

Still, although Frederic suspected Gregory of encouraging the resistance of the remnant of the Lombard League, and Gregory him of having instigated the last revolt of the Romans, no breach had taken place. The Pope professed displeasure at the obstinacy of the Lombards; he laid no positive or serious offence against the Church to the Emperor's charge; and negotiations were still pending, conducted for the Emperor by his able Grand-Judge, Taddeo da Suessa and the Bishop of Reggio, and on the other side, by the Holy Father in person. But new incidents occurred, further to entangle the subjects under discussion, and supply Gregory with an excuse, to himself, as well as to the world, for indulging his anti-

imperialist inclinations, and openly countenancing the Lombards.

The first of these related to the Holy Land. The ten years' truce that Frederic had concluded with the Sultans, was upon the point of expiring, and he saw no prospect of being early at liberty to revisit his Oriental kingdom, or able, with a fair prospect of advantage, to resume hostilities there. He therefore sent orders to renew the armistice for another ten years. This was in Gregory's eyes a grievous sin; the evil consequences of which he endeavoured to counteract, by the immediate preaching of a crusade. But he could find no sovereign prince, no warrior of note, willing to undertake the command; he had no means of providing a fleet for the conveyance of even the small band that he did excite to attempt the expedition; his Crusaders proceeded by land, and nearly all perished by the way.(260)

Then the old dispute concerning the suzerainty of Sardinia revived. The kingdom of Barasone had long since broken up into the original judgeships, the number of which was, however, speedily reduced by intermarriages of heirs and heiresses. In 1221, Benedetta, by marriage Princess of Massa, inherited the judgeship of Cagliari, and, in fervour of Guelphism disclaiming her vassalage to Pisa, declared that she held immediately of the Pope, in whom she acknowledged an authority much superior to what vassal princes usually owned in a liege lord; further decreeing that, in failure of lineal heirs, the judgeship of a reigning prince or princess must revert, as a lapsed fief, to the Holy See. To Benedetta succeeded her son; but at his death, the case, for which she had provided, occurred; when Ubaldo Visconti, Judge of Arborea, instead of suffering the judgeship to lapse, according to Benedetta's law, to Rome, possessed himself of Cagliari. The Pope had not interfered; and Ubaldo soon afterwards sought and obtained the hand of Adelasia, Judge (*alias* Countess) of both Gallura and Torre. Being thus really Lord of the island, Ubaldo sought to reconcile Gregory to his usurpation of Cagliari, by proposing to renounce all homage to Pisa or Genoa, and hold the other three judgeships(261)

like Cagliari, in immediate vassalage of the Roman See. Adelasia assisted this endeavour to propitiate the pontiff, by adopting, in her own principalities, Benedetta's law, providing for the default of lineal heirs. These measures answered their politic purpose; Gregory assenting to Ubaldo's proposal. But Pisa did not tamely submit to be thus deposed; and civil war distracted, not only the island, where many preferred the powerful commercial city, as Lord Paramount, to the Pope, but Pisa itself, where the Visconti supported the interests of their kinsman.(262)

With none of these transactions had the Emperor in any way interfered, and this was the state of Sardinian affairs, A.D. 1237. But in the course of the following year Ubaldo Visconti died; his son, evidently by a previous marriage, succeeded to Arborea and Cagliari, and Adelasia, a childless widow, again, as a sovereign princess, became "the cynosure of neighbouring," and eke of distant, "eyes." The Pope recommended to her favour a kinsman of his own, whom she seemed disposed to accept, when the Emperor suddenly appeared in the lists, on behalf of his illegitimate son, Enzio. The proper name of this candidate for Adelasia's hand and principalities was Henry; *Enzio* being the Italian version of *Heinz*, itself the German affectionate diminutive of *Heinrich;* but so generally has Enzio been adopted as the name of this son of Frederic's, being even Latinized into *Enzius*, that by no other is he recognised. Enzio had scarcely seen twenty summers, but he was already esteemed one of the most gallant warriors in his father's armies, and was reputed to surpass all his contemporaries in beauty of person. These qualifications, added to his imperial blood, however deteriorated by the bar sinister, outweighed in the eyes of Adelasia both the papal recommendation, and her own Guelph prepossessions. In October of this same year 1238, she married Enzio, and they assumed the title of King and Queen of Sardinia.(263) The Emperor's troops enabled the bridegroom speedily to reduce the remainder of the island under their sceptre; though upon what ground Adelasia claimed her stepson's heritage does not appear. Enzio then did homage to Pisa for his kingdom,

and Pisa, delighted thus to recover her mesne suzerainty, gladly sanctioned the whole transaction, to which only the Visconti and Gherardeschi objected.

Gregory's wrath was now uncontrollable, and sternly he called upon the Emperor to redeem the promise, pledged in the hands of Innocent III, A.D. 1213, to assist the Holy See in gaining possession of Matilda's gift. Sardinia and Corsica, he observed, not only formed part of that gift, but were, in every way, Church property; being likewise included in the donations of Constantine and of Pepin, besides falling naturally under the sovereignty of the Holy See upon their recovery from the Mohammedans.(264) He ended with the remark, that he was nowise minded to suffer encroachments upon the rights and possessions of the Holy See. Frederic replied, that the Holy Roman Empire had been robbed of those islands during an unfortunate period of weakness, and that his coronation oath bound him, as the whole world knew, to recover for the Empire all that had been unjustly rent away; which oath, he was nowise minded to break. He further requested the Pope to recollect that Sardinia had heretofore been disposed of, by Frederic I.

This was not an answer calculated to appease Gregory; and eagerly he availed himself of the plea afforded him by Enzio's assumption of the regal title, and seizure of the judgeships not his wife's own, openly to succour the Lombards against the Emperor. He was the better able to do so effectively, because, at this epoch, again master of Rome and the Roman territories. He forbade the vassals of the Church to yield the Emperor any assistance; and he sent Cardinal Gregorio di Montelonga to Milan, there publicly, in the Pope's name, to sanction Lombard insurgency. To a new embassy, by which Frederic, regretting perhaps the unconciliatory retort provoked by the Pope's attack, again endeavoured to allay his anger, he roughly declared that the Emperor must either submit his differences with the Lombards absolutely and unconditionally to his decision, or else conclude a truce with them for four years, and during this period lead a Crusade for the relief of the Holy Land. And now, as upon the occasion of the former quarrel, he addressed charges against the Emperor to all

European princes, lay or ecclesiastical, sovereign or vassal. Still Frederic sought to avoid a rupture with the intractable old pontiff; and, although he did not quite submit to his requisitions, wrote, in reply to this rebuff, that, in reliance upon the speedy restoration of peace, through the paternal intervention of his Holiness, he was making arrangements for the proposed Crusade. With the same object of propitiating Gregory, he, notwithstanding his individual interest in Vatazes, now granted to Baldwin, with the small army of mercenaries, which, by selling the most valued of the relics that Constantinople, despite Frank spoliation, still possessed, he had managed to raise, a free passage through his dominions. Frederic perhaps thought that Baldwin's means of keeping these mercenaries in his service, might be exhausted before Vatazes, then occupied in feuds with other Greek princes, would be at leisure to prosecute his claim to the Eastern Empire.

The year 1238 seems to have elapsed, without the Emperor's taking any new steps towards the projected reduction of the four, still unsubdued, Lombard cities. Such breaks or pauses in apparently well-matured plans of military movements, often surprise the mediæval historian, and can be explained only by the very imperfect command which the mightiest feudal sovereigns possessed over the troops—save a few mercenaries—upon whom the execution of those plans depended. Subjecting the whole of Sardinia to Enzio seems to have been the single warlike operation of the year.

In January, 1239, Frederic, accompanied by Isabella, joined Ezzelino at Padua: where he was received with honours, partly personal to himself, the admired and revered monarch, the beloved father-in-law of his host, partly marking the relation borne by Lombard cities to the Holy Roman Empire. Ezzelino, with his whole chivalry, rode forth to meet him; all the citizens ranged in lines, within and without the gates, awaited him; and the fairest Paduan dames, in costly attire, and mounted on their well trained palfreys, joined the imperial train, pressing as near as might be to the Emperor's person. The splendidly decorated Carroccio, of course, formed part of the burgher display; and, as Frederic approached, one of

the citizens, named Enrico Testa, stationed upon it for the purpose, lowering the flag staff towards the sovereign, said: "Most mighty Lord, Padua offers you her standard, that you, through the power of the crown upon your head, may maintain law and justice within her walls." Frederic was highly gratified, and expressed his satisfaction by eulogizing the valiancy of the sons, the beauty, grace, and modesty of the daughters, of Padua. He spent two months in the city, and gained the hearts of a large part of the population, but failed in all his endeavours to win back Marchese Azzo to his allegiance. A cordial reconciliation between the houses of Este and Romano appears to have been so thoroughly impossible, that, to win the first, he must have rejected the husband of his daughter.

If herein the Emperor was disappointed, when, amongst the martial bands surrounding him, he beheld Germans, Burgundians, Lombards, Apulians, Sicilians and Saracens, all from his own wide-spreading dominions, he looked confidently forward to the early subjugation of the still refractory cities. His victory over Gregory in their former war naturally leading him to undervalue papal enmity. But by bitter experience he was now to learn—too late—the power of the papal weapons, excommunication and interdict, over the minds of his contemporaries.

Padua proclaimed her pride and joy in her Emperor's visit by a grand festival; a sort of tournament, apparently, including, with tilting and other chivalrous sports for the nobles, gymnastic games for those of humbler condition;[265] appointed to be held upon the 20th of March, being Palm Sunday. When the holy rites of the morning had been performed, Frederic, from the raised throne, upon which, with his young and beautiful Empress by his side, he sat, animated by congenial feelings, and looking cheerfully on, adjudged prizes, distributed, probably, by Isabella; whilst Pietro delle Vigne harangued the citizens upon the Emperor's impartial justice, and especial good will to Padua. All was joyous exultation; save that a few strangers, from neighbouring Guelph cities, were heard to murmur, in tones of suppressed but angry exultation; "To the prosperity-intoxicated tyrant, this day of rejoicing shall prove a day of mourning, for in Rome at this very moment, does the Holy

Father consign him to Satan." The words were reported, and, though judged a mere burst of impotent malice, cast a shade of gloom over the pleasures of the festival.

The heralds of evil were well informed. Gregory had strengthened himself. He had learned that Venice, irritated by the detention of the son of her Doge in captivity, was, for the first time, not indisposed to join the confederation against the Emperor. To secure her alliance, as well as that of Genoa, the Pope actively mediated peace between those, ever rival, commercial republics; and, as both chanced just then to be weary of unprofitable hostilities, succeeded in arranging equitable terms. Feeling himself thus supported, he avowed his intimate connexion with the Lombard League, and gave vent to his long accumulating wrath.

He now again publicly accused the Emperor, laying ten several crimes to his charge: viz., 1st, Having, contrary to his oath, excited rebellion in Rome against the Pope and Cardinals, and violated the rights and liberties of the Roman Church; 2ndly, having obstructed the Cardinal-Bishop of Palestrina's journey, upon Church business, to the Albigenses; 3rdly, having kept benefices vacant, usurped church lands in the Sicilies, imposed taxes upon ecclesiastics, and dragged them before lay tribunals that sentenced them to exile, imprisonment, and even death; 4thly, having withheld property belonging to the Templars and Hospitalers; 5thly, having ill-used, banished, and plundered adherents of the Church; 6thly, having prevented the rebuilding of a church at Sora, favoured Saracens, and established them amongst Christians, to the inthralment of the said Christians and the defiling of their faith; 7thly, having taken, and still detaining as prisoners, a son of the King of Tunis, who was journeying to Rome, there to receive baptism, and also one Pietro, a Roman citizen, envoy from the King of England; 8thly, having subjected Sardinia and other possessions of the Roman See to his own crown; 9thly, having prevented, and still preventing, the deliverance of the Holy Land and the security of the Latin Empire of the East: the tenth and worst offence was—contempt of the papal decision between himself and the Lombards.

For these manifold sins, Gregory, upon Palm Sunday, the very day of the Paduan festival, fulminated a sentence of excommunication against the Emperor, Frederic II, delivering over his body to Satan, thus, he averred, to afford his soul a chance of salvation. He laid any and every place where he might sojourn, under interdict, and deprived of their benefices, even degrading from Holy Orders, every ecclesiastic who should say mass before him, or hold any intercourse with him. This sentence he reiterated upon the following Maunday Thursday; and commanded its publication throughout Christendom. He further proclaimed a Crusade against the Emperor, with all the indulgences earned by taking the Cross for the deliverance or the defence of the Holy Land, permitting priests to bear arms, as in a war for the protection of the Church. This Crusade the Mendicant Orders were commissioned to preach; and in the course of a single day a large Guelph army was thus raised against the enemy of the Pope.

Intelligence of these violent measures reached Padua early in April. Thereupon a general assembly of the citizens was convened, at which Pietro delle Vigne again harangued them. Taking two lines of Ovid(266) as a sort of text, without which, in those days, oratory seemed impossible, he first demonstrated to his audience, that Frederic II was the most magnanimous, just, and clement Emperor, who had reigned, since Charlemagne; and then enlarged upon the wrongs he had endured from the Pope. When he had concluded, Frederic, in imperial array, rose from his throne, and thus addressed the assembly: "Had the sentence of excommunication been justly denounced against me, I should be ready to make any and every atonement. But precipitately, and without adequate grounds, has the Pope inflicted this immoderate chastisement upon me; and doubly therefore does it wound and offend me." To the Pope the Emperor made no direct reply or appeal; but, when the Bishops of Würzburg, Worms, Vercelli, and Parma, in the name of the Supreme Pontiff, announced to him his excommunication, together with the grounds upon which it was launched, he summoned the Archbishops of Palermo and Messina, the

Bishops of Mantua, Cremona, Novara, and Lodi, with several Abbots, some even of those especial champions of the Papacy, the Dominicans and Franciscans, to hear his vindication point by point. His answer was:

To the first charge: that, instead of instigating rebellion in Rome, he had repeatedly assisted the Pope to quell it. To the second; that he had not taken the Cardinal prisoner, though he might justly have done so, since his Eminence had, in the Pope's name, encouraged the Lombards in their contumacious resistance to his lawful authority. To the third; that he knew of no benefices kept vacant, or church property seized; that ecclesiastics had never been taxed as such, but merely required to pay imposts due upon lands which they held; that no ecclesiastic had been imprisoned, banished, or slain; unless the Pope should mean such as, taken in the commission of crime, had been delivered over to ecclesiastical tribunals for punishment, or, upon conviction of high treason, expelled the country; or, the case of ecclesiastics murdered by ecclesiastics, as was the Abbot of Venusio by a monk—an instance of deficient discipline in the Church, the recollection of which was very painful to the Emperor. To the fourth; that no property had been taken from the Templars or Hospitalers, except what they had occupied in contravention to the law of the land. To the fifth; that no adherents of the Pope had been deprived of office or property; but some, guilty of heinous crimes, had emigrated. To the sixth; that, if the Pope meant an old church at Luceria, which had recently fallen through decay, the only one he knew of, he would rebuild it; and that his object, in collecting and settling the Saracens at Luceria, had been to prevent injury, either to Christians or to the purity of the Christian faith. To the seventh; that Abdelasis, who had fled from the persecution of his uncle, the King of Tunis, was living at perfect liberty in Apulia, expressing, much to the Emperor's regret, no wish for baptism; and that the Roman Pietro was simply a criminal, who had brought a letter of recommendation, surreptitiously obtained, from King Henry. To the eighth; that the papal claim to the territories in question had never been established. To the ninth; that all

genuine Crusaders were kindly received and supported by him, the Pope alone preventing him from undertaking a Crusade in person; that Baldwin and his troops had been allowed a free passage, and only such persons as, under pretence of preaching a crusade, disturbed the public tranquillity, had been interfered with. To the tenth; that he had thrice submitted his differences with the Lombards to the Pope's arbitration; that the Lombards had disregarded two verdicts of his Holiness, who had failed to pronounce a third, rejecting the reasonable conditions annexed by him to the reference; wherefore, further submission to a future, unknown award, would be alike hazardous and degrading.

Although these answers, like the accusations, rest upon a mere *ipse dixit*,—besides the duty of bringing proof lying, in the first place, upon the accuser—the Emperor's denials are more specific than the Pope's allegations, except in regard to the treatment of ecclesiastics; and here, the complaint being of what he had made the law of the land, Frederic's only alternative was, either to avow and justify his laws, thus really defying the acknowledged Spiritual Head of Christendom, or to shelter himself under vague assertions.

This vindication of his conduct the Emperor gave to the prelates, to lay before the Pope. He transmitted it to the young King of the Romans, when announcing his excommunication; bidding him make both known to the Diet, over which he was then presiding at Eger. He wrote letters to the Cardinals, praying them to influence the Pope to a more equitable line of conduct; to the Romans, rebuking them for suffering such an insult to themselves, as the excommunication of their Emperor in their presence. He addressed epistles to all the Kings and Princes of Christendom, breathing impassioned complaints of the Pope's injustice towards himself, and unaccountable partiality to the heretical Milanese; whilst announcing his own intention to follow the example of his predecessors, by convoking an Œcumenic Council, whose duty it would be to reform the abuses that disfigured the Church, more especially the papal government; and that might, if so pleased, even give the Christian world a worthier Head.

Shortly afterwards, Frederic put forth a sort of appeal to Christendom, at large, in which he accused Gregory of ambition, tyranny, rapacity, avarice, and intemperance; and (reviving the pseudo-heresy of Arnold of Brescia) the clergy, in general, of abandoning the example of lowliness, set by the Saviour and his Apostles, to revel in wealth, power, and voluptuous pleasures.

Gregory took this appeal as a challenge, and an epistolary war ensued, the letters being addressed, not to each other, but to Christendom. On both sides, the bitterness, as might be expected, daily increased. The Pope of course denied the imputations, taxing his accuser, whom he designated as the harbinger of Anti-Christ, with calumny and heresy. And now he brought forward the well-known charge against Frederic, that, amongst other horrible blasphemies, he was in the habit of saying: the world had been duped by three impostors, Moses, Christ, and Mohammed, of whom, the first and the last, died in honour, the other, the second, the death of a malefactor. Frederic, in his rejoinder, distinctly denied ever having uttered the blasphemies imputed to him, and, in refutation of the charge of heresy, adds his profession of faith, which includes all the fundamental doctrines common to the different Christian Churches, but, by silent implication, denies the infallibility of the Pope, and takes no notice of transubstantiation, and some other dogmas peculiar to the Church of Rome. This paper might tempt a Protestant to consider Frederic, as the harbinger rather of Wicliffe and Luther, than of Anti-Christ—functions, in the eyes of bigoted Romanists, perhaps, identical.

And here a few words must be said concerning the blasphemous jest with which this Emperor is thus charged, and which was presently improved by rumour into his writing a book, entitled De tribus Impostoribus. Later writers have so identified the imputed spoken jest with this book, that the general accusation has been held substantiated by its existence. But critical investigation has proved that the book was not written till long after Frederic s death, and ascribes it, upon seemingly sufficient grounds, to the notorious Aretino.(267) This supposed proof being thus completely annihilated, our inquiry

relates to the blasphemous words alone. With regard to these, Frederic's denial and Gregory's assertion must be weighed against each other; adding to either scale the known character of accuser and accused: the bigotry and impetuosity that long blinded the Pope to Magister Conrad's acceptance of accusation as irrefragable proof of guilt on the one side; the lively, imaginative disposition, and social, though remarkably temperate, habits of the Emperor, inducing a fear that his conversation might not be exempt from the unseemly levity upon serious subjects, so general amongst *troubadours*, on the other. Can these latter qualities be esteemed sufficient to convict Frederic of the odious hypocrisy, without which such blasphemy, and such a profession of faith, could not possibly both emanate from the same mind? It may be added, that Dante, who was born so near his time as to render him all but contemporary authority, *i. e.*, A.D. 1265, and who places Frederic amongst the sufferers for heresy,[268] makes no allusion to the blasphemy in question;—and with respect to heresy, his very profession of faith, sufficient to most Protestants, would, by the Pope, probably by most Romanists, be held to establish the charge. Moreover, these same words have been imputed to a different speaker, viz., to a French Professor of Theology, named Etienne de Tournay, who is averred (somewhat incredibly) to have pronounced them not jocosely after dinner, but dogmatically, and in fact *ex cathedrâ*, as part of a lecture; and to have been duly punished upon the spot, by a fit of apoplexy; from which he, indeed, recovered, but with loss of memory so complete, that he had to learn the Lord's prayer over again.

NOTES TO VOL. III.

(1) p. 2. Vol. ii, p. 451.

(2) p. 2. Tiraboschi.

(3) p. 3. Some uncertainty exists as to the year in which Alexius the younger visited Rome and reached Philip's court; but is immaterial, as no wise affecting the course of events.

(4) p. 5. Vol. i, p. 414, note 157.

(5) p. 7. Funcke, Bernardus Thesaurarius.

(6) p. 7. Wilken, Hugo Plagon.

(7) p. 8. Roger Hoveden.

(8) p. 13. Wilken.

(9) p. 13. Ville-Hardouin, the usual authority for the fourth Crusade.

(10) p. 13. Hurter, Rad. Coggesh. Wilken, though relying mainly upon Oriental writers, and Hurter, upon Innocent's Epistles, seek additional facts and statements, sometimes opposed to Ville-Hardouin, in contemporary chronicles, Greek as well as Latin.

(11) p. 14. An opinion that the possession of Egypt was essential to the existence of a Christian kingdom of Jerusalem, may be remembered as adopted in Palestine.

(12) p. 17. Regarding the motives and opinions of historical personages, except when found in their own letters, we neither have, nor can have, be it recollected, any information beyond the conjectures of old chroniclers.

(13) p. 18. Ville-Hardouin. Hurter, quoting Chronicon Halbertstadense, calls the island San Stefano.

(14) p. 19. Michelet.

(15) p. 21. Hurter, Innt. Epis., Gesta.

(16) p. 21. Ville-Hardouin.

(17) p. 24. Id. Wilken observes, that no other historian of this Crusade mentions any appeal of Alexius the Younger to the Crusaders, prior to the arrival of this embassy at Zara. But the omission by other writers of an

overture without result, is more likely, than that the crusading Marshal should have dreamt, or invented, one. The expectation of a second mission following up the first, might be the Doge's motive for lingering at Zara.

(18) p. 24. So strong was then the love of fighting, everywhere, for everything, and not least, when with a prospect of winning domains, that the zealous Crusader Ville-Hardouin speaks of all who objected to this second deviation, the Cistertian Abbots included, as seeking, not the fulfilment of the crusading vow, but the dispersion of the army, and the foiling of the Crusade. Those who, leaving their associates, hurried forward to Palestine, he especially thus censures.

(19) p. 26. Wilken, Arnold Lubec.

(20) p. 29. Vol. i, p. 13. Ville-Hardouin speaks of Danes and English amongst these mercenaries.

(21) p. 29. Wilken observes that, from Ville-Hardouin's words, the sally might be inferred to have taken place, only the day after the repulse of the assault. The Marshal's account is merely a little confused; whilst the Greek historian, Nicetas—another eyewitness, recording transactions in which he also, on the opposite side, was an actor—distinctly assigns both to the same day: the date indicated, moreover, by the course of events.

(22) p. 30. Ville-Hardouin.

(23) p. 36. Sismondi. This number presupposes such an amount of population, as awakens a suspicion that the statistics of those days, less accurate than ours, were helped by the imagination.

(24) p. 37. The wording, with respect to the division of booty, is not clear; but this interpretation seems most consonant to what was done.

(25) p. 39. Raumer, Nicetas.

(26) p. 39. Ville-Hardouin. This fire has been represented as casual; but the Marshal is likely to have been well informed upon the subject.

(27) p. 40. Is it worth noticing as an instance of nearly contemporary discrepancies, that Baluzius, overlooking Murzuflos, states Constantinople to have been conquered by the Crusaders from Isaac and his son, in revenge for their broken promises?

(28) p. 41. Hurter, Otto de S. Blasio.

(29) p. 43. Id.

(30) p. 44. Id.

(31) p. 44. Isaac left a son, by his second wife, Margaret; but this boy, properly next heir to Alexius, appears to have been then unthought of. The Crusaders had now conquered for themselves.

(32) p. 45. Vol. ii, pp. 408, 415, and notes 243, 255.

(33) p. 45. Wilken, who quotes the coarse expressions of Nicetas—the authority for this proclamation—disbelieves it; but was it in Greek levity to conceive the almost ascetic austerity of such a proclamation?

(34) p. 47. That such honestly were the feelings of these recreant Crusaders, appears from the language of Ville-Hardouin; when relating a disaster experienced by the Flemings in Palestine, he says, shame or misfortune were the lot—as if a divine judgment—of all deserters from the armament.

(35) p. 48. The tone of Innocent's answer to the apologetic supplication of Princes, at that moment conquerors of an empire, great in name if not in reality, is so characteristic of this Pope, that a few sentences may be worth translating, though unluckily from a German translation, the British Museum library appearing to possess few of Innocent's Epistles. He wrote: "Ye have departed from your vow, in that ye have turned your arms, not against Saracens, but, against Christians, purposing, not to recover Jerusalem, but to occupy Constantinople, as preferring earthly wealth to celestial treasures; an offence the more grievous, because neither religion, nor age, nor sex, have been spared; but lewdness, adultery, and incest have polluted the public eye. Not only wives and widows, but women and virgins consecrated to God, being subjected to the brutality of your troops. Unsatisfied with the imperial treasure, with the plunder of the high-born and of the lowly, ye have stretched out your hands to the funds of the Church; yet worse, to her actual possessions; have torn silver tablets from altars; and violating sacristies, carried away crucifixes, effigies, and relics. So that the Greek Church, oppressed by monstrous persecutions, seeing in the Latins nothing but examples of perdition and works of darkness, and justly abhorring you, as worse than dogs, disdains to return to the obedience of the Apostolic See. * * * * The judgments of God are often so occult * * * that we, not chusing rashly to pronounce touching judgment so profound, especially till we are more fully informed as to the truth of the matter, conceive that the Greeks may be justly punished for their sins against God, and you, nevertheless, have unjustly punished them, urged by the hatred ye bear your neighbours; wherefore, God may, perchance, justly requite upon you their just punishment."

(36) p. 52. Hurter, following Baluzius, gives him the second name, Sismondi the third, from contemporary authority.

(37) p. 58. Hurter, Guil. Tyr.

(38) p. 60. Vol. ii, p. 451. Hurter, the authority chiefly followed relative to Innocent III, being undeniably partial to his protagonist, the unprejudiced Wilken's character of this pontiff may be subjoined. He says: "Innocent III won general admiration and unbounded confidence, by his far-sighted, considerate sagacity and thoughtfulness, his prompt, energetic activity, and his indefatigable perseverance in carrying through the most comprehensive measures, in all affairs of the Church or the Papacy."

(39) p. 64. Marriage, within any degree of relationship, was held incestuous. But the seventh degree of cousinship exhausted consanguinity. Beyond,

there was no tye of blood; neither duty of vengeance, nor claim to compensation for death, or to collateral heirship; and marriage was lawful.

(40) p. 64. Hurter. Was not the commutation of penance, for money paid into a fund for good works, a natural corollary, from the pecuniary compensation affixed to every possible injury inflicted by man on man?

(41) p. 67. Michelet.

(42) p. 68. Hurter; who, in a note, gives the words of Ducange, describing the colobium, as "tunica absque manicis."

(43) p. 68. Hurter says Pedro was the first crowned King of Aragon—as if those monarchs, only through the Pope's gift, claimed the regal title—and calls their dominions an old French dependency. Now the Earls of Barcelona, long, though not permanently, were French vassals; but the French March never crossed the Ebro, and the portion of Aragon north of that river, once included therein, was quickly recovered; and the Aragonese forefathers of Don Pedro's grandmother, the Queen-regnant Petronilla, were crowned kings, even in the eleventh century.

(44) p. 70. Muratori. Innocent III's biographer, Bernardus Guido, says: "Inventi fuerunt Parisiis xciv hæretici, in quibus erant aliqui Sacerdotes, quorum aliqui convincuntur, aliqui comburuntur, aliqui concluduntur."

(45) p. 71. Dahlmann.

(46) p. 71. Hallam.

(47) p. 77. Mosheim.

(48) p. 77. This degradation of the crown, by offending English pride, Sharon Turner thinks, alienated the nation from Rome, and thus prepared a welcome for the Reformation. The tendency of the enormous increase of papal power, by generating abuses, to promote, at least, the Reformation, forms no small part of the interest attaching to this period of mediæval history.

(49) p. 78. One of the old Danish ballads, celebrating Queen Margaret, avers that, ere yielding, the King thus remonstrated with her:

"Urge not this prayer, sweet Star of Day!
Set I the Bishop free,
He will, ere rolls the year away,
A widow make of thee."

(50) p. 81. Dahlmann; Hurter.

(51) p. 84. Karamsin.

(52) p. 84. This is the year named by Karamsin: Rauschnik says 1178. The discrepancy is too considerable to be reconciled by supposing the earlier date, that of Meinhard's arrival, the other that of commencing his missionary labours, eight years could hardly be spent in learning the language.

(53) p. 84. Karamsin; as of the Greek Church, an unwilling witness to Meinhard's success.

(54) p. 85. Wachsmuth, Karamsin.

(55) p. 86. Vol. i, p. 267.

(56) p. 86. Another discrepancy, intrinsically immaterial in dates. Karamsin places the foundation of the Swordbearers in 1201, Weber in 1202, and Hurter in 1204, all upon nearly contemporary authority.

(57) p. 87. Justi.

(58) p. 89. Bonincontri, Lami, and subsequently Bonfinius and Sacy, as cited by Hurter, who, however, doubts the truth of this pretty incident.

(59) p. 92. Both these Slavonian titles, Ban and Zupan, have been held correspondent to Viceroy or Duke, and to Earl or Lord. But that the Servian Zupan was a sovereign prince is evident.

(60) p. 93. Muratori, Baluzius.

(61) p. 93. Innocent did not use similar precautions in regard to Armenia and Servia, because the first had long been independent; and, in the second, he was merely asked to raise the title of the reigning prince. Bulgaria having only then achieved her independence, which he, by giving the title, was to confirm, the duty of preliminarily ascertaining her right to that independence became imperative.

(62) p. 96. Neander.

(63) p. 97. Hurter, Albericus, ad. ann. 1200.

(64) p. 97. Neander.

(65) p. 97. Hallam.

(66) p. 98. Hurter, upon the authority of Schrökh, gives *Hospodi pomiloi* as the ejaculation whence the name was derived: but though the sense be identical, "Lord have mercy!" how *Bogo* should be made out of *Hospodi* is not apparent. Sir G. Wilkinson found the words *Bog* and *miloi* still used in Slavonian Dalmatia. A law of Alexius Comnenus doomed Bogomiloi, as heretics, to the flames.

(67) p. 98. Dom Vaissette, Barrau.

(68) p. 98. If the Yezidis, or Devil Worshippers, really be, as represented by recent travellers, a sect of Arian—shall we say, or of—Unitarian Christians, some of the doctrines about to be mentioned must have been derived from them, or *vice versa*.

(69) p. 101. Barrau, Guill. de Podiolaur.; Hurter, Dittmar. Chronik. The doctrines of these various sects, are taken from Mosheim, Dom Vaissette, Barrau, and Hurter.

(70) p. 101. Neander.

(71) p. 102. Id.

(72) p. 107. Hurter. The Pope's words are: "Licet autem desiderium intelligendi divinas Scripturas, et secundum eas studium adhortandi reprehendendum non sit, sed potius commendandum, in eo tamen apparent meritò arguendi, quod tales occulta conventicula celebrant, officium prædicationis

usurpant, sacerdotum simplicitatem eludunt et eorum consortium aspernantur, qui talibus non inhærent."

(73) p. 108. Schimek, GESCHICHTE BOSNIENS.

(74) p. 110. Jones, the very eulogistic historian of the Waldenses, says that, in 1173, Galdinus, Archbishop of Milan, died of his exertions in preaching against Paterenism, and the touching incident had been a welcome ornament to this history. But a list of Archbishops of Milan shows that no such prelate died in 1173; Oberto I having held the see from 1166 till 1176, when Galdinus succeeding, held it till 1184.

(75) p. 110. To give, without violating both self-respect and the respect due to the reader, as much idea of the excess of this licentiousness, as is indispensable to the moral and intellectual appreciation of the South of France, is not easy. But it may, perhaps, suffice to recollect, that the Crusader and Troubadour Duke of Aquitaine built a prototype of Louis XV's notorious *Parc aux Cerfs*, of which the imitation fell short, as a parody upon nunneries; to which sacrilegious indecency he required his vassals to contribute: with the addition, that a high-born, female Troubadour, the Comtesse de Die, in a *Sirvente*, explicitly invites the Troubadour, Rambaud d'Orange, to take her absent lord's place in the nuptial bed.

(76) p. 111. Mr. Hallam, mentions a writ of Raymond Roger, Vicomte de Beziers, addressed to "all his Baillis, Christian and Jewish."

(77) p. 113. Millot.

(78) p. 113. Raumer calls Bishop Folquet, a personal enemy of the Earl; biassed, surely, by Protestant aversion to a persecuting Romanist. The converted libertine seems merely to have become, like most such, a bigot; passing from one extreme to the other, and hating the supposed enemies of God, with an intensity, that made everything credible of them, everything lawful against them. To such a bigot, Raymond, who, whether he had any anti-Romanist tendency or not, preferred heretic subjects to none, must have appeared lukewarm, and been hateful.

(79) p. 114. Dante, PARADISO, Canto 7.

(80) p. 120. Hurter, Chroniques du Languedoc, Petr. Vallissern.

(80*) p. 121. A specimen of the impassioned eloquence, so much admired by Innocent's contemporaries, and by one of ours, viz., Hurter, may be here given, from his German version. He wrote to Philip Augustus: "Let the sighs of the Church reach thy heart! Let the blood of the righteous cry to thee! Raise the shield of Faith between the Church and her enemies! Observe the union betwixt royalty and priesthood, marked by Moses and Peter, the Fathers of the Old and of the New Testament. Let not the Church suffer shipwreck in thy provinces! Haste to her aid! With strong hand and outstretched arm, do battle against the heretics, who are worse than Saracens!" Innocent's exhortations to charity, in a Sermon, preached during a season of

scarcity, are more pleasing to modern taste than these adjurations. He said: "God has sent us scarcity and hunger, wherein he demonstrates both his justice and his mercy. He punishes our sins through famine; behold his justice! He affords us the opportunity of relieving the famished; behold his mercy! He, who in such need withholds what he could spare, deserves death for every beggar that perishes through his avarice. How can he speak of love for God, who in this distress closes his heart against his brother? Let none say, What help can I give? Give every one according to his means. Let him who has much, give abundantly, him who has little, of that little, cheerfully. Deny yourselves not the superfluous only, retrench something even from the necessaries of life."

(81) p. 124. Barrau and Mezerai estimate the Crusaders at 500,000; surely, meaning, that, first and last, the several bands of Crusaders, who, separately and successively, repaired to Languedoc, for a few weeks' service, reached that amount.

(82) p. 125. Hurter and Barrau say that the Abbot of Abbots declined the office, as unclerical; whereupon the command, with the possession of all conquests, was offered to various nobles successively, and by all declined, till accepted by Simon de Montfort. Dom Vaissette's account, which defers this scene until the taking of Carcassonne, has been preferred, as most consonant with the course of the narrative.

(83) p. 126. Hurter, Nangis, Guil. Brit.; Capefigue.

(84) p. 126. Id., Caes. Heinsterb.

(85) p. 129. Dom Vaissette and Barrau.

(86) p. 132. Pierre de Vaux-Sernay, as quoted by Barrau.

(87) p. 134. Arrivabene.

(88) p. 135. Hurter, Chron. Turon., Rob. Altiss, Petr. Vallissern. The papal biographer, Bernardus Guido, does not mention the conversion operated by this horrible Auto da Fé; but the compatriot historian may be presumed the best informed.

(89) p. 135. Hurter, P. Vallissern.

(90) p. 142. Barrau. Hurter gives, as the last clause of the prayer: "Grant that, fighting for thy honour, I may do so with justice," not clearly citing his authority. But it seems so impossible that he, who believed himself chosen by God to defend the divine honour, could doubt the justice of his cause, that with all respect for the Swiss, who, if an admirer of Innocent III, may, as a Protestant, be credulous against de Montfort, the Frenchman's version has been preferred to his.

(91) p. 146. The words of the Troubadour are,

Mot fo grans lo dampnatges el dols el perdementz
Cant lo reis dArago remas mort e sagnens

E mot dautres baros don fo grans launimens
A tot crestianesme e a trastotas gens.

Which Fauriel translates: Grands furent le dommage, la douleur et la perte—lorsque le roi d'Aragon resta mort et sanglant—avec grand nombre d'autres barons, et grande fut la honte—à toute la chretienté et à tout le monde.

(92) p. 146. So notorious is the libertinism of Don Pedro, that inquiry into any charge, brought against his Majesty of Aragon upon that score, may seem waste of time. But with two such charges circumstances are connected, that make them worth rebutting. Simon de Montfort, to prove that God would enable his 1500 or 1800 men (the greatest number given him) to defeat the King's army, showed an intercepted letter from Don Pedro to a lady at Toulouse, saying that the expedition was undertaken for her sake, and asked, with devout scorn: "Can God prosper a war, waged for an adulterous intrigue?" The Benedictine author of the History of Languedoc candidly observes, that, as the King fought for the protection of his two sisters, the letter was probably addressed to one of them. The other slander states the night preceding the battle to have been spent by Don Pedro in such orgies, that, from lingering inebriety and sheer exhaustion, he was unable to support himself in the morning, and obliged to sit during mass; and rests upon the authority of James I of Aragon, son and heir of the supposed reveller. Now, in the first place, such utter prostration of strength an hour *before* the battle, would make the King's feats *in* the battle actually miraculous; and, in the next, King James was, at the time, a child, in de Montfort's custody, deriving his information from him and his bigoted priests; and when restored, some years later, to his mother, he would hardly imbibe from her much jealousy, as to the fame of the father who had tried hard to divorce her.

(93) p. 151. Vol. ii, p. 457.

(94) p. 151. Giannone.

(95) p. 156. Capecelatro says, "per la malvagità dell' aere," and that in February; of a climate to which delicate lungs are often sent.

(96) p. 164. Raumer.

(97) p. 164. Sir Jas. Emmerson Tennant.

(98) p. 167. Muratori, Leo, and Raumer say, Ezzelino the Monk; but that he—whose age in 1175 may be estimated from the date of his retiring to a monastery, viz. 1223—should be selected by the Milanese as General and Embassador in preference to his father, the Crusader, seems unlikely.

(99) p. 167. Vol. ii, p. 128.

(100) p. 173. This singular form of outlawry—as the sentence may be Englished—is explained (see Adelung's German Dictionary) to mean, not that the *vogelfrey* criminal is given to the birds as their prey, but that, being masterless as a bird, he is equally unprotected, and may, like a bird, be shot. The

old Norse form differs from the German only in substituting wolves for birds. It is: *Vargr i Veum.* Modern historians have noticed the words of the old chroniclers, that Philip's murderers "tam a principibus quam a ministerialibus proscribuntur," as indicating the combined action of the two classes to be something unusual.

(101) p. 174. Hormayr.

(102) p. 175. Fessler.

(103) p. 176. Hurter; Luden.

(104) p. 176. The Golden Bull of Charles IV, so regulated the right of election, A.D. 1356.

(105) p. 176. Philip's daughters perplex historians. That he had four, of whom two were affianced to the Hereditary Princes of Bohemia and Brabant, that the eldest could not be more than thirteen years old in 1209—1195 being the earliest possible date of Philip's marriage—that a third married Otho IV, and a fourth a King of Castile, is known, but not their order of birth. It has been argued that Beatrice must have been the eldest, both because a child of ten or eleven could hardly be thus affianced, still less actually married barely three years later, in 1212, and because she could not otherwise inherit the family duchy. The answer is, that the object of the precipitate celebration being to satisfy the Ghibelines, by shewing them a Hohenstaufen Princess upon the throne, her age would hardly be a consideration: whilst the father of four little girls, all under twelve, can scarce be supposed to begin with disposing of the youngest in marriage. With respect to the heirship of Beatrice, when Philip affianced Kunegunda and Mary, delivering them over, after the custom of the times, to the parents of their future consorts, for education in their future homes, as he would still hope for a son from Irene, he would portion them accordingly; and their being thus portioned off, might, when policy required that Beatrice should inherit the duchy, be held to preclude their pretending thereto. The county of Provence will, in the course of the century, be seen, in like manner, inherited, upon political grounds, by a younger daughter. Another puzzle, relative to these sisters, is the finding a second Beatrice, the Queen of Castile being so named; whence some writers identify her with Otho's bride. But of the early death of Otho's Beatrice, there can be no doubt; and this is not a solitary instance in mediæval history of two sisters or brothers receiving the same baptismal name, if any desire to perpetuate it in the family existed; and lastly, Pfister calls the youngest Beatrice Eliza. Fortunately none of these doubts are important, as they have little chance of ever being cleared up.

(106) p. 181. Gerardo Maurisio, who says this conversation was carried on in French, *Francesco*, clearly meaning Provençal, the words he, in his Latin narrative, assigns to Otho, being "Sire Ycelin, *Salutem lo Marches.*"

(107) p. 183. As regards the old cry of "Panem et Circenses," the modern

Romans, if somewhat varying, have not degenerated from their ancestors. Even during the recent Italian attempts at Revolution, this was apparent.

(108) p. 184. Vol. ii, p. 475.

(109) p. 184. Pfister.

(110) p. 187. Whether this excommunication were pronounced in November, 1210, or at Easter, 1211, is of little moment, save as the difficulty of ascertaining the fact is one of the most remarkable instances of those embarrassing mediæval history, even amidst contemporary documents; for amongst Innocent's Epistles are found two, flatly contradicting each other upon this point. In the one, dated: *Kal. Feb. Anno Pont.* xiii—answering to February 1st, 1211,—and addressed to Philip II of France, he says that he has warned Otho of his determination to excommunicate him, if he does not desist from his attempt upon the kingdom of Sicily: in the other, dated a month earlier, xii *Kal. Jan. Anno Pont.* xiii, and addressed to the Pisans, he charges them to withdraw the aid of their fleet from an excommunicated monarch; Hurter, Notices et extr. ii, 282, Ep. xiii, 193. Baronius, in his ANNALES ECCLESIASTICALES, makes the date a day earlier, viz., xi *Kal. Jan.* &c. Muratori would reconcile the inconsistency, by supposing, what Innocent announced to the French King, was the renewal of the anathema upon the Holy Thursday. An explanation, that makes the Pope speak of an excommunicated sovereign, as if actually enjoying impunity.

(111) p. 190. For the best opinions touching the knowledge of gunpowder in the twelfth century, see vol. ii, p. 433-4, and 523, note 290. Any progress made in the thirteenth, will find its place in the concluding chapter of this work.

(112) p. 191. Luden, Godofr. Monach.

(113) p. 191. Hurter, Chron. Rhythm.

(114) p. 191. Id., Adelzreiter Ann. Boic.

(115) p. 191. Id., Chron. Sanpetr.

(116) p. 193. Pfister, MS. authorities; Raumer, Cless Gesch. von Wertemb., Ursp.

(117) p. 200. Raumer, Arx, Quadrio Valtell. Rigord. Rolandini makes the expedition less romantic.

(118) p. 203. Touching the extent of the territory thus ceded by Frederic II and his Diet, a controversy exists amongst historians, originating, apparently, in either the deficient calligraphy of the old chroniclers, or the negligence of transcribers. Most writers give the Elbe and the Eider, as the boundaries of the district, which they thus limit to Holstein; whilst, to the Eider, others substitute the Elda, a small stream in Mecklenburg, thus adding a piece of that province.

(119) p. 206. Leo; Warnkœnig.

(120) p. 208. Raumer, Geneal. Comit. Flandriæ, Senon. chron., Smets

Chroniques, in Dachery Spic. The story, as he tells it, seemed too characteristic of the times not to be translated, as found; even if in one point decidedly erroneous, this does not invalidate the manner of the transaction. Hurter says the banner committed to the Chevalier Walo, was—royal and national being then synonymous in France—Philip's own banner of the lilies; and as such Rigordus explicitly describes it: "Signum regale, vexillum, videlicet, floribus lilii distinctum." The Oriflamme, being the standard of the Abbey of St. Denis, not of France, and borne by the King, only as hereditary Vidame of St. Denis, was always delivered to the appointed bearer, when publicly received by the King, from the Abbot, at the High Altar. Hurter does not say who was, upon this occasion, the appointed bearer, and the name has not been found. Luden, apparently, conceives the Oriflamme and the banner of the lilies to be identical.

(121) p. 211. Vol. i, p. 139.

(122) p. 212. Leo. Warnkœnig says, double the sum was demanded, besides various onerous conditions, which the Estates of Flanders and Hainault positively rejected. But he imputes this demand to Lewis VIII, who is generally conceived to have declared, like his father, that he would never release Ferdinand:—the peculiar ill-will borne him is unexplained.

(123) p. 213. Raumer, Erfurt chron., S. Petrin., Anon. Sax.

(124) p. 213. Id., Guil. Armor.; Pfister, Orig. Guelf. Luden calls this, calumny, heaped by the vulgar upon the fallen; asserting that Cologne, steadily loyal to Otho, forgave the old debt, and presented him money with which to prosecute the civil war. Yet he allows that both Emperor and Empress stole secretly from Cologne.

(125) p. 215. Some writers place the children's crusade a year earlier; but the exact date matters little.

(126) p. 217. Wilken.

(127) p. 220. Napier, Ammirato, for the injunction to physicians.

(128) p. 222. Dumas, in his MÉMOIRES, much admires a similar subtle distinction in the Parisian revolutionists of 1830, who, whilst clamourously demanding food at the Hotel de Ville, refused money with which to buy it.

(129) p. 224. Matt. Paris.

(130) p. 225. Hurter says, he quoted the Gospel of St. Matthew, ch. x, v. 10, and ch. xix, v. 21 and 29; the Gospel of St. Luke, ch. ix, v. 23, and ch. xiv, v. 26; and 1 Tim. ch. vi, v. 8.

(131) p. 225. Michelet.

(132) p. 225. Vel labore, vel mendicitate, victum, amictum, et alia necessaria acquirent.

(133) p. 227. The author has nowhere seen a reason assigned, for substituting the designation of friars to that of monks, in the Mendicant Orders.

(134) p. 229. Barran; Dom Vaissette; Michelet, quoting Chronique Languedocienne.

(135) p. 230. Dom Vaissette, Chronique Provençale.

(137) p. 232. A holiday, be it observed, not merely Sunday.

(138) p. 233. Hurter, Albericus.

(139) p. 233. Wilken, Guil. Armor. or Brito.

(140) p. 236. See p. 176.

(141) p. 237. A certain description of mediæval cavalry.

(142) p. 240. Wilken. So said Philip Augustus, when impatient to leave Palestine.

(143) p. 243. From this union of the duchy of Bavaria, with the Palatinate, as previously with the duchy of Saxony, may proceed the want of an Imperial Household office, now, and ultimately, of electoral rights to the former. The Palatinate and Duchy were long held conjointly; and when the latter was detached for a younger son, the number of electors was fixed by the Golden Bull.

(144) p. 243. Pfister.

(145) p. 249. Vogt.

(146) p. 249. Hallam.

(147) p. 255. Some modern writers compliment Frederic II's enlightenment in advance of his age, by reviving Gregory's imputation. They assert, that he never intended to embark in anything so impolitic and unphilosophic, as a crusade; merely promising everything to gain his ends, predetermined to break his word. And thus philosophically perfidious—if the combination be conceivable—they depict him at twenty!—the age at which he first took the Cross. But those, who know only the Moslem States of the present day, dependent for existence upon Christian toleration and value for the Balance of Power, can hardly conceive the terrors they justly excited in the Middle Ages.

(148) p. 255. Klemm.

(149) p. 255. Frederic himself, in a letter quoted by Wilken, states the number of ships he sent to Egypt, in the year 1221, at ninety.

(150) p. 256. Funcke.

(151) p. 256. One feat ascribed to this Duke of Austria, Leopold the Glorious, is so like that ascribed to Duke Leopold the Virtuous, before Acre, as to awaken suspicion of two relations of a single exploit, real or imaginary.

(152) p. 257. Some Mohammedan tradition imputes the death of Malek el Adel to grief for the sufferings of Damietta. (Churchill's LEBANON.) The idea hardly agrees with the date of his death or with his neglect of the siege.

(153) p. 258. Wilken; Funcke.

(154) p. 259. Id., id.

(155) p. 261. Hammer-Purgstall.

(156) p. 262. Reinaud. Makrisi, as quoted by Reinaud, estimates the

Crusaders at 20,000 horse, and 200,000 foot; numbers, with which reinforcements had been supererogatory :—Orientalists are given to exaggerate.

(157) p. 262. Sicut aves, ad laqueum, sicut pisces ad megarim, are the words of Oliverius Scholasticus Coloniensis, as quoted by Wilken.

(158) p. 263. Funcke. Kameel may have been less intolerant of Christian veneration for the Cross than Saladin; but it must be repeated, that whether the True Cross, meaning Empress Helena's, was ever seen after the defeat at Tiberius, is very doubtful.

(159) p. 263. Wilken.

(160) p. 264. Id. Reinaud, Ibn el Athri; who explicitly says, "Scarcely had the Mohammedans got Damietta, when reinforcements came to the Christians, with which they could have kept it." He could not speak thus of the small band of English Crusaders who arrived at this moment. Another Asiatic says, forty-five ships of the Emperor's arrived, and learning the event, sailed away.

(161) p. 273. Relative to Frederic's amours, it may be worth noting, that Giannone states concubinage to have been in those days regarded, in Southern Italy, in a less degrading light, than in later times; almost resembling a morganatic marriage. He says, a single man's keeping a mistress was not held sinful; but to have a wife and mistress simultaneously, or two mistresses, though no wife, was as criminal as bigamy. That there was less distinction, between legitimate and illegitimate children, than now, is undeniable. Something of the same kind is found in Spain; in both countries, possibly, the remains of Moslem polygamy. The Duc de St. Simon, in his MÉMOIRES, speaks of less dishonour in illegitimacy, there; and Mr. Hallam quotes Marina's ENSAYO SOBRE LAS SIETE PARTIDAS, for illegitimate children succeeding in default of legitimate.

(162) p. 274. Raumer, Martene Coll. Amplis.

(163) p. 275. Vol. ii, p. 508, note 121.

(164) p. 278. Raumer; Luden.

(165) p. 279. Pro modica pecunia, quam in comparatione honoris tui ac famæ, debes quasi sterquilinium reputare. Raumer, Reg. Hon. III.

(166) p. 280. Rauschnik. The name of Archbishop Engelbert von Berg has gained additional interest with German antiquaries, since that extraordinary institution, the *Vehm-* or *Fem-Gericht* (Anglicè, the Secret Tribunal) has become a subject of investigation, for one of pure horror. It is believed that this Prince-Prelate, finding the robber-knights of the Rhine too strong for his Cologne tribunals and arms, accomplished his purpose by creating the tribunal in question, in his own principality, which comprised the greater part of Westphalia—the Red Earth of the Vehmgericht's mystic language. The formidable power, derived, by this mysterious tribunal, from the strict incognito of its numerous members, and the consequent impunity as well as

certainty of the secret executions ordered, rendered it, in an age when powerful criminals defied the ordinary forms of law, a valuable instrument of justice; even as, from the same cause, having survived its necessity and utility, it became a frightful instrument of vengeance and oppression.

(167) p. 281. King Henry was very unlike Louis XVI of France; but the disaster saddening his marriage with an Austrian princess, and his subsequent doom, though self-earned, forcibly recall the blood-stained nuptial festivities and melancholy fate of the French monarch.

(168) p. 282. This civil strife between the higher and lower classes, requiring even papal intervention; and this compromise affected by papal mediation, are the facts alluded to (vol. i, p. 402, note 62), as strong arguments against Otho of Freising's account of Lombard civic polity.

(169) p. 283. The Montagues, in ROMEO AND JULIET. Whether the heresy of the Romano brothers amounted to more, than resentment of the Pope's demanding the delivery of their father for trial, is very doubtful.

(170) p. 284. Schmidt.

(171) p. 284. Muratori. This writer represents Frederic II, as habitually deceiving Honorius in regard to his crusading vow; Honorius, as mistrusting and disliking him, and therefore exciting the Lombards against him. That Honorius was the reviver of the Lombard League, is asserted alike by those who praise and those who blame the act.

(172) p. 287. Hurter.

(173) p. 288. Stenzel. The number of Marians sent, at this time, against the Prussians, varies, in different accounts, from two, with scarcely the complement of two lances, to Bronikowski's 2,000. But the improbability of Hermann's thus impairing his efficiency in the Crusade, then imminent—of Honorius and Frederic suffering him to do so—or, if done, of Frederic's never imputing thereto his own weakness in Palestine—is so great, that Stenzel's statement has been preferred.

(174) p. 293. Wachsmuth; Wilken, Matt. Paris.

(175) p. 295. Justi.

(175*) p. 296. Matt. Paris; Raumer.

(176) p. 297. Gregory is held to have here designed a pun upon the word regulos: regulus being the Latin form of the Greek Βασιλισκος, and, like it, meaning both basilisk, and, as the diminutive of rex,—Βασιλευς, roitelet,—Anglicé, perhaps, kingling.

(177) p. 297. Considering that Gregory, in a subsequent letter, states 40,000 crusaders, of the detachments now sent by Frederic, to have returned from Palestine, because he had not accompanied or followed them, this accusation is so strange, as to require the authentication of his own words. As given by Matt. Paris, they are, "ac naves sufficientes ad transitum victualium, hominum et equorum, ut promiserat, non adessent." As a small set-off against

this calumny, it may be remarked, that Gregory does not charge Frederic, as later enemies have, with murdering the Landgrave and other noble sufferers, thus to procure a plea for his own return. The Guelph Muratori here carries his suspicion of fraudulent purpose no further, than to say: "God knows whether Frederic were ill or not:" whilst Wilken, no friend to this Emperor, expresses his conviction that he honestly meant to fulfil his rashly made vow, as soon as he should be able to do so without material inconvenience, and was now prevented by serious illness; he treats all Gregory's accusations as absurd calumnies. And, in truth, after he had married Yolanthe, what doubt can there be of his desire to recover Palestine, her kingdom?

(178) p. 300. Matt. Paris. There seem to be other, somewhat, but not materially different, copies of Frederic's justificatory manifesto.

(179) p. 301. Montalembert.

(180) p. 302. Schmidt.

(181) p. 302. Some authors give this date, others the spring of 1223; which was the epoch, is immaterial, save as, the more recent, the livelier would Roman gratitude be.

(182) p. 303. Wilken, Chron. Ursperg.

(183) p. 304. Voigt.

(184) p. 308. The Patriarch says not less than 40,000 had so deserted; but surely if the Duke of Limburg had brought 40,000 men—and, as all did not desert, he must have brought more—Acerra could not so positively have objected to denouncing the truce, though he might still *wish* to await the Imperial leader of the Crusade, and King of the country.

(185) p. 308. Funcke.

(186) p. 309. Wilken, Rainald. ad ann. 1224.

(187) p. 309. Anton.

(188) p. 314. Matt. Paris; Raumer, Pet. Vinea; Wilken, Reinaud, Dehebi. Both these accusations are found in Mat. Paris—who adds that the Pope denied the letter—and both are corroborated by very strong authority. Pietro delle Vigne, Frederic's confidential Minister, explicitly asserts, vol. i, p. 23, of his Epistles, that the Pope's letter to the Sultan was in his possession: and the letter, if such there were, would naturally be given, when made known, to Frederic, by Kameel. The imputation cannot, therefore, be dismissed as an idle rumour. Either it is true, or the letter is a forgery of Frederic' and his Chancellor's. The other, the treachery of the Templars, was long disbelieved, as a gossipping tale, resting upon the single, hearsay authority of the English Historian, remote from the scene of action. But a recent inquirer, Reinaud, has discovered Arabic confirmation of Matthew Paris's story, in Dehebi. And the impossibility of either writer, the Briton or the Arab, having borrowed from the other, makes the confirmation nearly decisive.

(189) p. 315. Frederic's expression, "the kingdom, as when invaded by Saladin," seems intended to communicate the sense rather than the wording of the treaty.

(190) p. 315. Some recent travellers speak of El Aksa and Omar's mosque as two distinct buildings; and if this were so, there might be a question, which of them Kameel retained. But most Oriental scholars treat them as identical.

(191) p. 316. Centuries afterwards, Muratori, in his Guelphish ill-will to Frederic II, more inconceivably says, that he ceded to the Mohammedans, "Il Tempio, o sia il San Sepolcro." Could the learned Ecclesiastic for a moment suppose the Jews to have permitted the Saviour, whom they rejected and crucified, to be laid in a tomb, excavated within Solomon's Temple. Or is this a confused way of saying that Frederic ceded either the Temple-mosque, which the Mohammedans so highly prize; or the Holy Sepulchre, in their eyes of little value? Wilken ascribes more weight to the charges brought against Frederic by the Patriarch—though allowing him over violent—than, considering his almost avowed enmity to his lawful sovereign, seems reasonable. Yet he laments that Gregory's invasion of Apulia during the Crusade, recalled the accused prince from Syria, before he had had time to legislate for the kingdom of Jerusalem,—an unintended confession of where the fault of his incomplete success in Palestine lay.

(192) p. 319. Raumer, Schreiben Hermanns von Salza, Reg. Greg. IX.

(193) p. 322. That Gregory, under the influence of his prejudices, really believed all these charges, there can be little doubt. Whether the Patriarch Gerold did or did not, were hardly worth inquiry, even were information to be had. But his criminating letter very curiously exemplifies the chronological difficulties of early history. It is dated Ptolemais (Acre) vii *Kal. Martii*, answering to the 23rd of February; yet contains an account of Frederic's proceedings upon the 17th, 18th, and 19th of March, in Jerusalem, and even of his arrival at Ptolemais upon the 24th. Wilken conjectures that the date is a slip of the pen, substituting Martii, the then current month, for Aprilis; a likely error, when dating in a language and form, alien to the writer's habits of thought and speech.

(194) p. 325. Schmidt.

(195) p. 327. The opinion of those times seems to have been, that such was generally the case with the mercenaries of the Popedom.

(196) p. 328. Gibbon says that, according to Acropolita, Jean de Brienne was eighty years of age when raised to the Empire. This would make him near upon sixty when selected as a consort for the barely adolescent Queen of Jerusalem—his elder brother having married Tancred's daughter not long before;—which sounds even more unlikely than seeking an octogenarian to defend an empire against warlike foes.

(197) p. 329. Muratori asserts, that the Pope struggled hard to retain possession of Gaeta and Sta. Agata.

(198) p. 331. Voigt; Roepel—who gives "cum verâ proprietate et perfecto dominio," as the words of the repeatedly printed treaty. Yet Bronikowski (a Pole) positively asserts that Prussia was to be held in vassalage of the Duke of Mazovia. That Frederic deemed Prussia prospectively, if not already, whilst yet unconquered, a member of the Empire, is evident; but as mediæval emperors claimed suzerainty over Poland, that would not disprove Poland's mesne lordship. These rights or pretensions were, during the Middle Ages, admitted or rejected, according to the relative strength of the Emperor and the other party; and the Duke of Mazovia was weak. In the sixteenth century the dispute was settled by a Hohenzollern Heermeister, who turned Protestant, and managed to transform his elective, essentially Roman-Catholic, office, into an hereditary duchy, a fief of Poland.

(199) p. 333. Muratori suspects Gregory of secretly instigating the very measure, he publicly forbade; but adduces no proof.

(200) p. 336. Many writers call Pietro delle Vigne, Grand-Chancellor; some perhaps, because they find Taddeo da Suessa also Grand-Judge; but, as Sicily and Apulia always had separate sets of government officers, this is irrelevant. Muratori constantly designates him as Grand-Chancellor, and, perhaps, should be followed. But the more general opinion denies him that high office.

(201) p. 339. Constitutiones Friderici.

(202) p. 341. Coletta.

(203) p. 342. Raumer. Frederic appears to have studied the means of precluding his officials from opportunities of such extortion. In Martene's COLLECTIO is a letter to the Justiciarius Principatûs, forbidding his *Ballivos et Officiales* to sell wine.

(204) p. 342. Need the reader be reminded, that Alfred's laws made the tithing responsible for crimes committed within its limits?

(205) p. 343. Wachsmuth.

(206) p. 344. Bajulus * * * cognoscit de furtis et criminibus levibus quae non imponunt membri abscissionem.

(207) p. 347. The division of tithes into three parts, of which one was assigned to the maintenance of the clergy, one, to church repairs and other expenses, and one, to the relief of the poor, seems not to have been unusual amongst German nations. (John M. Kemble.)

(208) p. 348. Some writers have supposed that the *Seggi* or *Sedili* of Naples, if not of other cities, sent deputies to these assemblies. But the Seggi appear to have been mere associations of nobles, frequenting certain porticoes in their respective neighbourhoods, there to discuss affairs, public and private, or the line of conduct to be adopted in common:—a reminiscence if not a remnant, of classical out-of-door life. Now as all nobles seem to

have been summoned to these provincial assemblies, why should companies send deputies?—unless indeed to escape the trouble of individually attending. Only at a later period did the Neapolitan Sedili acquire anything of a political character, or was a plebeian Sedile formed. Other writers think that the *Sindichi* (a class of municipal magistrates) of Naples and a few other chief cities, those, *e. g.*, in which the assemblies sat, attended as, *ex officio* members; and this is not unlikely.

(209) p. 349. Vol. i, pp. 315, 430, note 279.

(210) p. 349. Coletta, the very democratic author of a history of Naples under the Bourbons, highly eulogizes Frederic for having humbled feudalism, by dictating laws that made justice common to all; established the municipal administration of communities; the official visitations of provinces to ascertain the wants and grievances of the people; the convocation of local representative assemblies for the transaction of local business; curtailed, if they could not abolish, the extravagant privileges of the clergy and the church lands, subjecting clergy, as well as nobility, to taxation; and, finally, promoted the civilization of the lower orders. Mr. Hallam, on the other hand, blames Frederic for recognising the exemption of the clergy from lay jurisdiction and taxation. Now, though Coletta is but a feather in the scale against the Historian of the Middle Ages, his hot republicanism gives him a weight as the panegyrist of an emperor, almost as fiercely attacked by modern Liberals as by mediæval Guelphs, that makes the reconciling these divergent opinions very desirable; and perhaps the explanation may be this. The one was as much engrossed, as he was charmed, with Frederic's splendid innovations; the other, insulating the code from the circumstances hampering the legislator, dwelt upon what it ceded to papal pretensions—the denial of which would have caused a breach with Rome, and Frederic knew the evils of excommunication. The law leaves the clergy to ecclesiastical jurisdiction, but makes exceptional cases—a step towards emancipation:—"Excepto si de proditione aliquis fuerit appellatus, vel de alio magno hujusmodi maleficio, quod spectat ad majestatem nostram, volumus et præcipimus ut de hoc quod spectat ad curiam nostram, in nostrâ curiâ judicetur." With respect to taxation, the code recognises the exemption of old church lands, but denies it to new acquisitions; which are, moreover, restrained by what may be called a statute of mortmain; Titulus 29, Lib. 3, forbidding such acquisition, unless by way of exchange. "Rebus stabilibus non alienandis Ecclesiis, nisi ex æquali causa permutationis." Newly acquired lands were to be sold within the year to some one able to do the military service due for them, or, at the end of the year might be confiscated: "Fisci commodis applicentur." Another Titulus excludes ecclesiastics from all offices of government, because they may not meddle with secular business. Frederic evidently went as far as he dared.

(211) p. 351. Giannone, who fully admits the liberal, unoppressive character of Frederic II's fiscal system.

(212) p. 352. One of Pietro delle Vigne's Epistles, addressed to a man of non-military race, informs him that his fidelity and other merits are rewarded by the especial favour of permission to enlist.

(213) p. 355. Rosini, an University professor, as well as a novelist.

(213*) p. 355. Raumer.

(214) p. 357. It has been conjectured, that Michael Scott would translate Aristotle from Arabic versions, his studies in Moslem Spain being likely to have made that language more familiar to the Wizard, than Greek; and, possibly, the commentaries of the Arab translators might be thought to render those versions preferable to the original work. But if the new Code was published in Latin and Greek simultaneously, because Greek was the mother-tongue of a large proportion of the Sicilians and Apulians, translators from the Hellenic original there must have been.

(215) p. 358. His Imperial and Royal Majesty uses the mediæval word *exennium*—barbarously latinized from the Greek ξενιον—for gift.

(216) p. 358. Petr. Vin., lib. vi.

(217) p. 361. Muratori.

(218) p. 364. The celebrity of the Wartburg, the mountain-castle-palace, in which the Thuringian Landgraves habitually held their court, is of more than one kind. The theatre of poetic contests in the thirteenth century—of which more in their proper place—in the sixteenth, when the landgraviate of Thuringia, with the margraviate of Misnia, had merged in the electorate of Saxony, it acquired as a mere country castle an interest of a different species; as the retreat where Luther was so effectually concealed from his enemies, that his friends were alarmed by his disappearance; and as the scene of the personal encounter with Satan, recorded by himself, and attested by the stain, still visible on the chamber wall, from the inkstand, hurled by the Reformer at the infernal tempter's head.

(219) p. 364. Much uncertainty hangs over this recommendation of a Confessor. Justi—whose account of St. Elizabeth has, partly for its prettiness, been here followed—says that, in 1214, Innocent III recalled the noble, clerical student, Conrad of Marburg, from the University of Paris, to take charge of the conscience of a nine-years-old child. Hurter ascribes the recommendation either to Honorius III, after Elizabeth's marriage, or, yet later, to Gregory IX; which would bring it so close upon the Landgrave's death, as to disconnect the Confessor from her conduct as Landgravine consort.

(220) p. 365. Montalembert.

(221) p. 367. Id., as translated from an old chronicle. Raumer, Rohte.

(222) p. 369. Cleanliness, far from being in those days esteemed next to

Godliness, seems to have been thought a luxury, from which, as from other luxuries, abstinence was meritorious. Irksome as is the topic, a few facts, illustrative of the idea, must be recorded. Another Hungarian princess, St. Elizabeth's niece, so far surpassed her abnegation of this luxury that she purposely befouled her hands and garments, substituting them for ordinary vessels, in services rendered to the sick. And the monks of a Vallombrosa cloister claimed superior sanctity, because, dispensing with such superfluities as shovels and dung forks, they cleansed, with their bare hands, the styes of the large herds of swine, forming their chief possession. But this was in unrefined days. Michelet, in his DU PRÊTRE, DE LA FEMME ET DE LA FAMILLE, relates, that in Paris, under Louis XIV, a Nun of the *Visitandines*, employed her tongue for wiping the soils and stains produced by the use of emetics, in the infirmary. And this insane enthusiast was the very pride of the sisterhood! As she well might be, since, nightly in her visions, her dirtied lips were permitted to kiss the bleeding wound in the Saviour's side, through which she gazed upon his heart—the especial object of Visitandine worship.

(223) p. 370. Rauschnik.

(224) p. 373. When about to relate acts of Magister Conrad, at which modern blood runs cold, it is but fair to show the opinion entertained of him by contemporaries. One of these, Rohte, says: "He shone a morning star, above all other priests." But a brother Dominican, Theodoric of Thuringia, more specifically says: "Fuit eruditus scientiâ, conversatione purus, et vitâ evangelicâ; affluens doctrinâ, zelator Catholicæ fidei, et expugnator validissimus hereticæ pravitatis. Hic divitias et possessiones temporales, et beneficia ecclesiastica habere noluit, simplici, modesto et humili clericali habitu contentus; gravis in moribus, et maturus aspectu, austerus, bonis Christianis gratus et benignus, pravis autem et perfidis in judicando justus et districtus fuit."

(225) p. 380. Luden, Alb. Stadens., Albericus Chronicon., Sampetr.

(226) p. 382. Klemm.

(227) p. 383. Luden; Raumer, Conradi chron., Schir. Avent. ann., Zschokke, Fessmaier.

(228) p. 383. Loher.

(229) p. 384. Luden. Experience in Lombardy might have some influence herein.

(230) p. 385. Loher.

(231) p. 385. Hormayr.

(232) p. 391. Matt. Paris.

(233) p. 391. Raumer, Salimbeni. Salimbeni's Chronicle of his Order, the Minorites, was supposed to be lost, when Muratori published his storehouse of mediæval Italian history, the SCRIPTORES RERUM ITALICARUM. The MS. has since been discovered in the library of Casa Conti, and P. Sarti

has given extracts from it. Fra Giovanni's contemporary, Gerardo Maurisio, relates the greatest of the Dominican's miracles upon Franciscan authority. "Fratres Minores publicè prædicabant, sicut egomet ipsos audivi prædicantes apud ecclesiam majorem civitatis Vicentiæ, quod ejus precibus et orationibus, decem fuerunt mortui suscitati, &c."

(234) p. 391. "Trufator maximus," are Salimbeni's words.

(235) p. 393. "Quod est mirabile," observes Maurisio.

(236) p. 394. Vol. i, p. 156.

(237) p. 394. Maurisio says, he demanded the county of Vicenza.

(238) p. 395. Varese; Muratori.

(239) p. 395. Matthew Paris attributes the Friar's madness to the direct intervention of Satan, "procurante Diabolo."

(240) p. 396. Tiraboschi.

(241) p. 399. Pfister says Frankfort, but gives 1234 as the date of his Diet, when Magister Conrad had ceased to exist.

(242) p. 400. This is the usual and probable account of the transaction; though Luden, in his search after novel views, and guilt in high station, imputes Conrad's death to the Archbishops, whom he had denounced as fautors of heretics.

(243) p. 403. The celebrated church of St. Francis, at Assisi, consists of three churches, standing, as favoured by the hill side, one above the other, the lowest being little more than an excavated sanctuary for the tomb of the Saint. This is a later addition; but, whether Elias and his German architect built both the upper churches, or only the purely Gothic uppermost, is again an unsettled question. The better opinion seems to be, that both are their work, although, to the eye untrained in archæology, or in architecture, the middle church, as a house of prayer so beautifully impressive in the very gloom of its lowness, appears of the earlier date of old Lombard churches, akin to it in that character, if not in beauty.

(244) p. 404. Luden.

(245) p. 406. Fessler. Another striking instance of Duke Frederic's profligacy—unless it be, perchance, a strange feature of the times—is, that he held supplying his guests with nocturnal society, a duty of hospitality. Landgrave Lewis the Holy, visiting him, recoiled in disgust on entering his bedchamber, and there finding a damsel; whom he directed his Cup-bearer, Walter von Vargel—the father of the orator—to convey secretly out of the palace, give her money, and bid her thank God for her escape. Luden, ever the champion of those generally censured, holds Frederic the Combative, to be calumniated, because a friend to citizens; and, although wishing to spare the clergy, compelled, by the expenses of his incessant wars, to tax them. But unless the wars were defensive, they cannot clear the Duke of waste and extortion.

(246) p. 406. Pfister assigns the mission to the Duke, Raumer to the Marshal and the Canon, both upon contemporary authority. Nor is this the only discrepancy in the accounts of the transaction. Writers differ as to whether Henry now sought the alliance of Milan, or Milan had previously, with offers of help, instigated his rebellion. Another, more revolting instigator has been named, viz., Gregory, both of this nefarious alliance, and of the son's rebellion; and that, even whilst benefiting by, and professing affectionate gratitude for, the father's active friendship. The accusation could not be passed over in silence, though unworthy of admittance into the narrative; since, if true, Henry, when the Pope turned against him, would surely have revealed his duplicity, both in revenge, and in self-exculpation: nor would Frederic have omitted so cruel an offence, in his subsequent complaints of Gregory's conduct. The accusation rests wholly upon later Lombard writers.

(247) p. 410. Muratori, Rainaldus Annal. Eccl. Villani goes further; altogether denying Henry's rebellion, and alleging that Frederic falsely laid it to his charge, partly in resentment of Henry's having taxed him with impiety, partly to make room for his favourite son, Conrad. Villani's mistakes in what is unconnected with Florence, would scarce be worth noticing, did they not by showing the sort of tales current at Guelph Florence, explain some otherwise inexplicable misrepresentations of Dante's unfavourable to his own party.

(248) p. 416. This princely assembly has, by some writers, been called a Diet, and considered as identical with that, which, a month later, sat at Mainz and transacted important business. But, not to observe upon the improbability of the Emperor's selecting his wedding day or its morrow for the laborious discussion of weighty affairs, since the King of Bohemia was the only vassal king entitled to a voice in a German Diet, the number of four kings present is sufficient proof that this assembly was invited for solely festive purposes, to grace a tournament in honour of the nuptials, not to work in diet; although such visitors, as were members of an Imperial Diet, would naturally remain to take part in that which was summoned.

(249) p. 416. Muratori; who says that the Emperor pronounced lavishing money upon "mimis et histrionibus" the very height of insanity. Frederic, a great linguist, would hardly converse with Germans in Latin; but the Italian Annalist copies the words from some old chronicle.

(250) p. 420. Schmidt so distinctly treats this Aulic Judge (*Hofrichter*) as a complete novelty, that Frederic I's new Justiciary or Judge—in whom other historians see the origin of the Aulic Council—must clearly have been of inferior dignity: perhaps not entitled to interfere at all with princes.

(251) p. 422. Schmidt. A German legal antiquary, Loher, who sharply blames the Emperor for presuming, in the exultation of his triumph over

rebellion, to legislate at this Diet, jure divino, adds, that he used the usurped right beneficially for Germany, restricting independent vassal jurisdictions and affixing punishments to every abuse of authority: whilst our own great compatriot authority upon mediæval questions censures Frederic, for having, by his concessions at Aquileia and at this Diet, so established the territorial sovereignty and virtual independence of the vassal-princes of the Empire, as impaired, if it did not destroy, the unity and nationality of Germany. Perhaps Mr. Hallam, who avows himself less thoroughly acquainted with Germany than with France, has not been as much impressed as the German antiquary, with the amount of independent sovereignty which, previous to either Diet, the vassal-princes had acquired, during the actual abeyance of the imperial authority, whilst Philip and Otho, first, Otho and Frederic, next, were contending for its possession; or with the degree to which Frederic was cramped in the exercise of that authority, when gained, both by the interposition of the hostile, really independent Lombards, between his usurped kingdoms, and by papal jealousy. He appears to have conceded only what they had usurped, and he had not power to recover. Loher's censure may be dismissed with the remark, that modern writers, their heads full of constitutional forms and public debates upon public questions, are apt to forget that such things were unknown to feudal times. The Diet sanctioned laws proposed by the Emperor and his Chancellor; and this seemed the perfection of freedom.

(252) p. 422. Raumer; Eichhorn.

(253) p. 422. Pfister.

(254) p. 424. Is it worth mentioning that the remains of the sainted Landgravine no longer occupy the monument in which they were thus solemnly "in-urned?" That the ardently zealous friend and protector of Luther, Philip, Landgrave of Hesse, regardless of the respect filially due to an ancestress, dug up her bones, stowed them in an old sack, and flung them away?

(255) p. 426. Muratori; who says that the Pope feared to be crushed by the Emperor, when he should have crushed the Lombards; and that the Lombards—willing to own his sovereignty—feared to be oppressed and flayed like the Apulians. Now the Pope's apprehension was reasonable, though not very consistent with his professions of favour, or even of impartiality; and so might be that imputed to the Lombards, if "to be subjected" had been what they were said to fear. Fear to be oppressed and flayed like the Apulians they could not; since Apulia and Sicily are represented by Giannone—chroniclers heeded not such trifles—and really appear to have been, as prosperous during the greater and later part of Frederic's reign, as his wars with two successive Popes would allow. Those wars colour every ecclesiastic's, most Roman Catholics', portraiture of this emperor. Tiraboschi's words relative to his chivalrous grandfather, quoted vol. i, p. 433, note 299, are equally applicable to

the grandson; though not pointing out the main evil, viz. that his being too far in advance of his age to be understood nullified the influence he ought to have exercised.

(256) p. 433. Pertz, Monumenta German., ii, 1237. This document gives the names of the Princes who elected Conrad, as in the text. But Pertz quotes another copy of this document, in which the Archbishop of Cologne takes the place of the Archbishop of Salzburg. Pfister supposes that the Princes, present at Vienna, there elected Conrad, the election being subsequently repeated at Spires or Ratisbon, by those there present. A proceeding too anomalous to be received upon conjecture.

(257) p. 437. Muratori; "il che dalla gente stolta fu interpretato in bene della città;" are his words.

(258) p. 448. Raumer.

(259) p. 451. Id., Hahn litteræ princ.; Jacob a Voragine Chron.

(260) p. 452. Giannone.

(261) p. 452. Sismondi divides the island into five judgeships, held by the five Pisan families of Gherardesca, Sardi, Sismondi, Visconti and Caietano. They are, however, generally reckoned four, and the marriage of Ubaldo and Adelasia, each holding two, seems to have united the island. A fifth may have previously merged in one of these four, by marriage.

(262) p. 453. Manno.

(263) p. 453. Some authors say that Enzio called himself King now of Gallura and Torre only, now of Sardinia; meaning, perhaps, that he did not claim the whole island, until he had conquered the part not his wife's. But Giannone, Foscolo, and Arrivabene assert, that he at once took the larger title, the conquest being immediate upon the marriage.

(264) p. 454. It is to be observed, that the Pope's claim to sovereignty over Sardinia and Corsica was always disputed. The Emperors never admitted it; and of the two cities that contended for the islands, Genoa and Pisa, the one, to which a Pope granted the mesne suzerainty, always acknowledged, the other always denied, his right.

(265) p. 456. This Paduan tournament is perhaps the more carefully recorded, because such chivalrous pastimes appear unusual in Italy, until fostered by Charles of Anjou.

(266) p. 458. Heroid., V. 7.

(267) p. 461. Tiraboschi.

(268) p. 462. Inferno, canto 10. It may further be observed, that Dante, in his Eloquio Volgare, speaks in the highest terms of Frederic and his son Manfred, their good qualities, "their having noble hearts, and being endowed with all the graces."

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